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AUDI-X REPORTING

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AUDI-X REPORTING

IX. ADJOURNMENT

204

1 THURSDAY, MAY 6, 1999

9:50 O'CLOCK A.M.

2 ---oOo---

3 I. CALL TO ORDER

4 CHAIRMAN EATON: GOOD MORNING EVERYONE, IF I CAN HAVE YOUR
5 ATTENTION? THANK YOU. WELCOME AND GOOD MORNING TO THE MAY 6TH
6 CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD.

7 II. ROLL CALL AND DECLARATION OF QUORUM

8 CHAIRMAN EATON: MADAM SECRETARY, WOULD YOU PLEASE CALL THE
9 ROLL?

10 THE SECRETARY: BOARD MEMBERS JONES?

11 MEMBER JONES: HERE.

12 THE SECRETARY: PENNINGTON?

13 MEMBER PENNINGTON: PRESENT.

14 THE SECRETARY: ROBERTI?

15 MEMBER ROBERTI: HERE.

16 THE SECRETARY: CHAIRMAN EATON?

17 CHAIRMAN EATON: HERE.

18 THE CHAIR NOTICES THE QUORUM, WE CAN DO BUSINESS.

19 III. OPENING REMARKS

20 CHAIRMAN EATON: IN KEEPING WITH RECENT PRACTICES, I'M GOING
21 TO IDENTIFY FOR THE RECORD A NUMBER OF EX PARTE COMMUNICATIONS WHICH I
22 BELIEVE SOME OF MY FELLOW BOARD MEMBERS MAY HAVE ALREADY RECEIVED AS
23 WELL. AND, THEREFORE, I WILL FOR THE RECORD IDENTIFY THEM AND,
24 THEREFORE, ACCORDING TO OUR LEGAL COUNSEL, YOU NEED NOT PUT THEM ON THE
25 RECORD SINCE I HAVE. IF THERE ARE OTHERS THAT I HAVE NOT INCLUDED THAT
26 FOR ANY REASON YOU FEEL, IN ACCORDANCE WITH THE LAW, SHOULD BE DISCLOSED

AUDI-X REPORTING

1 THEN I WILL GIVE YOU AN OPPORTUNITY TO DO SO AT THE COMPLETION OF MY
2 PRESENTATION.

3 LETTERS TO BE ORALLY INCLUDED FOR ME ARE ANN MARIE
4 HIASHI (PHON) FROM THE CITY OF WHITTIER REGARDING A CORRECTION OF BASE-
5 YEAR AMOUNTS FOR THE CITY OF WHITTIER.

6 M. T. CILIO (PHON), CONTRACT STATUS ON THE CONTRACT
7 CONCEPT.

8 KEVIN METCALF ON THE WASTE TIRE PROGRAM.

9 JAMES KENNINGER (PHON) ON THE TIGAS (PHON) LANDFILL.

10 KELLY SMITH, COALITION ALTERNATIVES TO KIEFER
11 LANDFILL, ON TODAY'S AGENDA, THE KIEFER LANDFILL ITEM.

12 AND BILL IRWIN (PHON) FROM RANCHOS DOS AMIGOS
13 REGARDING THE RMDZ LOAN APPLICATION, WHICH IS ALSO ON TODAY'S AGENDA AS
14 WELL.

15 I WILL START WITH MY LEFT. AND, MR. PENNINGTON, IS
16 THERE ANY ADDITIONAL EX PARTES THAT YOU WOULD DESIRE TO DISCLOSE:

17 MEMBER PENNINGTON: YES, MR. CURTIS. I HAD A PHONE CALL
18 FROM MR. DON BROWN CONCERNING ITEM A, THE 2136 PROGRAM.

19 CHAIRMAN EATON: OKAY. THANK YOU.

20 MR. JONES.

21 MEMBER JONES: MR. CURTIS, ALL THE ONES THAT YOU JUST DID.

22 AND I'M NOT SURE IF -- DID YOU INCLUDE THE LETTER FROM
23 THE FULLERS, FROM PARADISE RECYCLING ON --

24 CHAIRMAN EATON: I HAVE NOT GOTTEN THAT ONE YET.

25 ~~MEMBER JONES: OKAY. THAT ONE JUST GOT HANDED TO ME, IT'S~~
26 ON THE LOS DOS AMIGOS LOANS.

AUDI-X REPORTING

1 CHAIRMAN EATON: SENATOR ROBERTI?

2 MEMBER ROBERTI: I DON'T HAVE ANYTHING.

3 CHAIRMAN EATON: GREAT.

4 MEMBER JONES: SORRY ABOUT THAT. A QUICK DISCUSSION WITH
5 GEORGE LARSON (PHON) ON THE AMERICAN PLASTICS SCHOOL PROGRAM, THEY'RE
6 READY TO START GRADING APPLICATIONS FOR PEOPLE THAT USE RECYCLED PLASTIC
7 IN THE SCHOOLS, AND I'M ONE OF THE GRADERS.

8 AND HELLO TO LARRY SWEETSER AND A HELLO TO MARK LEARY
9 (PHON). THANKS.

10 CHAIRMAN EATON: FOR THOSE OF YOU IN THE AUDIENCE, AS WE
11 MOVE THROUGH TODAY'S AGENDA, THERE ARE SPEAKER SLIPS ON THE BACK TABLE.
12 IF YOU WISH TO ADDRESS THE BOARD ON ANY OF THESE ITEMS PLEASE FILL OUT
13 A SLIP AND IDENTIFY THE AGENDA ITEM OR ITEMS BY NUMBER, PLEASE, AND
14 BRING THEM UP FORWARD TO MS. DOMINGUEZ HERE ON MY LEFT, AND ON YOUR
15 RIGHT, AND SHE'LL MAKE SURE WE GET TO KNOW OF YOUR DESIRE TO SPEAK.

16 ALSO, AT THE END OF TODAY'S MEETING THERE'LL BE AN
17 OPPORTUNITY FOR JUST GENERAL PUBLIC COMMENT.

18 IV. REPORTS AND PRESENTATIONS

19 ORAL REPORTS FROM BOARD MEMBERS

20 CHAIRMAN EATON: WITH REGARD TO REPORTS AND PRESENTATIONS,
21 DO ANY OF THE BOARD MEMBERS HAVE ANY REPORTS OR ITEMS THAT THEY'D LIKE
22 TO BRING UP, OR COMMENT UPON AT THIS TIME?

23 MR. PENNINGTON?

24 MEMBER PENNINGTON: NO, I DON'T HAVE ANYTHING. THANK YOU.

25 CHAIRMAN EATON: OKAY. MR. JONES? SENATOR ROBERTI? ALL
26 RIGHT, WE CAN MOVE.

AUDI-X REPORTING

1 ORAL REPORT FROM THE EXECUTIVE DIRECTOR AND EXECUTIVE STAFF

2 CHAIRMAN EATON: MR. CHANDLER INFORMS ME THAT HE WILL HAVE
3 AN ORAL REPORT FROM THE EXECUTIVE DIRECTOR AT NEXT MONTH'S MEETING,
4 THERE'S NOTHING THERE.

5 ORAL REPORT ON THE STATUS OF THE 21ST CENTURY POLICY DEVELOPMENT
6 PROCESS

7 CHAIRMAN EATON: NOTHING ON THE 21ST CENTURY.

8 III. OPENING REMARKS (RESUMED)

9 CHAIRMAN EATON: FOR PURPOSES OF TODAY'S AGENDA, ITEM NO.
10 16, AN UPDATE ON THE CURRENT YEAR EXPENDITURE TRENDS HAS BEEN PULLED.
11 THE EXECUTIVE DIRECTOR WILL BE BRIEFING EACH OF THE INDIVIDUAL OFFICES
12 WITH REGARD TO ACCOUNTS AND, THEREFORE, YOU'LL HAVE MUCH MORE OF THE
13 INFORMATION NECESSARY IN WHICH TO DISCUSS THE PROFESSIONAL SERVICES
14 ACTIVITIES AND CONSULTING CONTRACTS.

15 TODAY'S AGENDA, ALSO WE HAVE A NUMBER OF ITEMS. I
16 WOULD JUST ASK THAT YOU CAN KIND OF KEEP TO THE POINT ON THESE ITEMS,
17 IT'S GOING TO BE A LONG DAY.

18 WE ALSO HAVE A PUBLIC HEARING SCHEDULED AT TWO O'CLOCK
19 WHICH WAS CONTINUED FROM LAST WEEK'S MEETING, THAT IS A TIME CERTAIN AND
20 WE HAVE TO COMPLETE THAT. THAT IS ON A TIRE REVOCATION MATTER.

21 V. CONTINUED BUSINESS AGENDA ITEMS

22 CHAIRMAN EATON: TODAY WE HAVE FOUR CONTINUING BUSINESS
23 ITEMS WHICH WE WILL START WITH BEFORE MOVING INTO OUR REGULAR AGENDA, OR
24 OUR NEW BUSINESS AGENDA ITEMS.

25 VI. CONSENT AGENDA

26 CHAIRMAN EATON: AND FOR PURPOSES OF THE CONSENT CALENDAR,

AUDI-X REPORTING

1 THERE ARE NO ITEMS ON CONSENT, THEREFORE, THERE NEED NOT BE ANY ITEMS
2 PULLED FROM CONSENT OR DISCUSSED.

3 V. CONTINUED BUSINESS AGENDA ITEMS (RESUMED)

4 AGENDA ITEM A: CONSIDERATION OF APPROVAL TO AWARD CONTRACTS FOR
5 CONSTRUCTION SERVICES TO SUPPORT THE SOLID WASTE DISPOSAL AND CODISPOSAL
6 SITE CLEANUP PROGRAM (AB 2136)

7 CHAIRMAN EATON: AND WE'LL MOVE RIGHT INTO OUR CONTINUING
8 BUSINESS AGENDA ITEMS, WHICH WOULD BE NUMBER A IN YOUR PACKET, MEMBERS,
9 CONSIDERATION OF APPROVAL TO AWARD CONTRACTS FOR CONSTRUCTION SERVICES
10 TO -- REGARDING THE 2136 PROGRAM.

11 MR. WALKER: GOOD MORNING CHAIRMAN EATON AND MEMBERS OF THE
12 BOARD, SCOTT WALKER, PERMITTING AND ENFORCEMENT DIVISION.

13 MINOR REVISIONS TO THIS ITEM HAVE BEEN MADE FROM THE
14 ORIGINAL BOARD PACKET, AND THE CORRECTED VERSION HAS BEEN GIVEN TO BOARD
15 MEMBERS, AND ADDITIONAL COPIES ARE AVAILABLE AT THE BACK TABLE.

16 THIS ITEM PRESENTS A CONTINUATION FROM MARCH, THE
17 CONSIDERATION OF APPROVAL TO AWARD CONTRACTS FOR CONSTRUCTION SERVICES
18 TO SUPPORT THE SOLID WASTE DISPOSAL AND CODISPOSAL SITE CLEANUP PROGRAM,
19 OR AB 2136 PROGRAM.

20 STAFF WAS DIRECTED TO PROVIDE ADDITIONAL INFORMATION
21 ON THE PROCESS USED FOR SELECTION OF CONTRACTORS AND AWARD OF CONTRACTS.
22 THE REQUEST FOR QUALIFICATIONS, OR RFQ PROCESS, WAS USED FOR CONTRACT
23 CLEARANCE.

24 TO BRIEFLY RECAP, CONSTRUCTION SERVICES CONTRACTS ARE
25 UTILIZED FOR THE BOARD MANAGED REMEDIATION OPTION FOR THE AB 2136 SITE
26 CLEANUP PROGRAM. THE BOARD APPROVED ALLOCATIONS IN JULY AND OCTOBER OF

AUDI-X REPORTING

1 1998 TO NEW CONSTRUCTION CONTRACTS FROM THE FISCAL YEAR 1998-99
2 APPROPRIATION. THE TOTAL AMOUNT ALLOCATED TO NEW CONSTRUCTION CONTRACTS
3 IS \$1,540,000. CURRENTLY THERE WILL BE ONE REMAINING CONSTRUCTION
4 CONTRACT AS OF JULY 1ST, AND THIS CONTRACT WILL EXPIRE IN JUNE OF 2000.

5 THIS AGENDA ITEM PROPOSES AWARD OF TWO NEW
6 CONSTRUCTION CONTRACTS WHICH WILL MAINTAIN FLEXIBILITY FOR BOARD-MANAGED
7 REMEDIATION PROJECTS THROUGH JUNE OF 2001.

8 THE REQUEST FOR QUALIFICATIONS PROCESS IS CURRENTLY --
9 IS ALSO CURRENTLY BEING IMPLEMENTED FOR SELECTION OF A NEW ENGINEERING
10 AND ENVIRONMENTAL SERVICES CONTRACTOR. THE CURRENT CONTRACT EXPIRES
11 THIS JUNE. AND TO ADDRESS CONCERNS OF THE BOARD PRESENTED IN MARCH,
12 THAT PROCESS IS USING AN EXPANDED SCORING PANEL OF STAFF FROM OUTSIDE
13 THE AGENCY IN THE PROGRAM.

14 WE HAVE -- TERRY JORDAN OF THE ADMINISTRATION AND
15 FINANCE DIVISION WILL NOW PRESENT DETAILED INFORMATION ON THE REQUEST
16 FOR QUALIFICATIONS PROCESS UTILIZED.

17 MS. JORDAN: GOOD MORNING, CHAIRMAN AND BOARD MEMBERS. AS
18 NOTED ON PAGE TWO OF THE ITEM, THE EVALUATION PROCESS USED IN THE RFQ
19 CONSISTED OF FIVE STEPS.

20 ADMINISTRATION AND FINANCE DIVISION'S CONTRACTS UNIT
21 DID HAVE A PARTICULAR ROLE IN THIS PROCESS WITH REGARDS TO REVIEWING AND
22 ENSURING THAT THE SOQS WERE COMPLETE AND RESPONSIVE.

23 IN ADDITION, THE ADMINISTRATION AND FINANCE DIVISION
24 DID SERVE A PURPOSE IN REGARDS TO PLAYING A ROLE IN THE PANEL THAT
25 REVIEWED, IN THE INTERVIEW PROCESS, THE DIFFERENT CONTRACTORS. AND THE
26 PANEL CONSISTED OF THREE PROGRAM STAFF OF WHICH TWO, INCLUDING THE

AUDI-X REPORTING

1 CONTRACT MANAGER, WERE NEW TO THE AB 2136 PROGRAM. TWO NON-SCORING
2 PANEL MEMBERS, WHICH INCLUDED THE ADMINISTRATION AND FINANCE DIVISION
3 INDIVIDUAL, AND THE MANAGER OR SUPERVISOR OVER THE AB 2136 PROGRAM, WERE
4 ALSO INVOLVED IN THESE INTERVIEWS. BASICALLY, THEY PROVIDED THE
5 OVERSIGHT IN CONDUCTING THE INTERVIEWS AND SERVED ON THAT PANEL.

6 BASED UPON THE RESULTS FROM THE FIVE-STEP PROCESS,
7 STAFF RECOMMENDS AWARDED THE AB 2136 PROGRAM CONSTRUCTION CONTRACTS TO
8 TWO CONTRACTORS.

9 MR. WALKER: YES. AND TO GIVE A LITTLE BIT MORE FOLLOW-UP
10 ON THAT, WHY WE ARE RECOMMENDING THE TOP TWO CONTRACTORS, THERE ARE
11 SEVERAL REASONS.

12 ONE IS THOSE TWO SCORES WERE CLEARLY HIGHER THAN THE
13 OTHER TWO SCORES, THEY BROKE OUT SIGNIFICANTLY HIGHER.

14 HAVING AT LEAST TWO -- NUMBER TWO, HAVING AT LEAST TWO
15 CONTRACTS PROVIDES THE BOARD WITH FLEXIBILITY TO DO SIMULTANEOUS
16 PROJECTS IN DIFFERENT AREAS OF THE STATE.

17 THE THIRD REASON IS THAT ONE OF THE OPTIONS OF, SAY,
18 BREAKING OUT FOUR CONTRACTS WOULD BE PROBLEMATIC IN THE SENSE THAT
19 YOU'RE BREAKING UP A POT OF MONEY INTO SUCH A SMALL AMOUNT IT CONSTRAINS
20 THE SIZE OF THE PROJECT THAT YOU COULD DO. AND ALSO, WHEN YOU HAVE FOUR
21 CONTRACTS AT THE SAME TIME, THE AMOUNT OF STAFF RESOURCES TO MANAGE IT,
22 THOSE CONTRACTS, BECOMES PROBLEMATIC.

23 IN CONCLUSION, STAFF RECOMMENDS ADOPTION OF RESOLUTION
24 NO. 1999-169, TO APPROVE AWARD OF CONTRACTS FOR CONSTRUCTION SERVICES TO
25 SUKUT CONSTRUCTION AND GUINN CONSTRUCTION, AND TO ENCUMBER \$770,000 TO
26 EACH CONTRACT.

AUDI-X REPORTING

1 THAT CONCLUDES STAFF'S PRESENTATION. STAFF IS
2 AVAILABLE TO ANSWER QUESTIONS.

3 CHAIRMAN EATON: ANY QUESTIONS OF STAFF?

4 MEMBER JONES: MR. CURTIS?

5 CHAIRMAN EATON: MR. JONES.

6 MEMBER JONES: A QUESTION AND AN APOLOGY. I'M THE ONE -- I
7 HAD A LOT OF PROBLEMS WITH HOW THIS WAS PRESENTED TO ME IN MY BRIEFING,
8 AND THEN AGAIN THE DAY AT THE BOARD.

9 THIS BOARD HAD GIVEN DIRECTION TO HAVE SOME KIND OF
10 BLIND REVIEW OF ALL OF OUR PROPOSALS THAT COME -- THAT CAME IN. AND I
11 WAS OF THE ASSUMPTION THAT THREE PEOPLE WERE THE ONLY THREE THAT WERE IN
12 THE ROOM, AND THAT WAS CONTRARY TO WHAT THIS BOARD HAD DIRECTED. AND IT
13 TOOK A MONTH AND A HALF OR TO FINALLY HAVE SOMEBODY TELL ME THAT THERE
14 WERE TWO OTHER PEOPLE IN THE ROOM FROM DIFFERENT AREAS THAT ALSO
15 CONCURRED WITH THE SCORING. AND THAT ALLEVIATED MY PROBLEM AND SHOWED
16 ME THAT THE STAFF HAD, IN FACT, FOLLOWED OUR DIRECTION.

17 I DO HAVE A PROBLEM WITH THE FACT THAT WE'RE STILL
18 WORKING THROUGH THE POLICY. AND I THINK THAT IT MAKES SENSE TO AWARD
19 THIS CONTRACT, BUT I THINK WE SHOULDN'T SPEND ANY MONEY UNTIL WE GET THE
20 POLICY, YOU KNOW, DONE, FILED, AND, YOU KNOW, DOTTED AND ALL THE T'S
21 CROSSED AND ALL THAT STUFF. BUT I'LL LEAVE THAT UP TO THE OTHER BOARD
22 MEMBERS.

23 BUT, I DO THANK THE STAFF FOR TAKING OUR DIRECTION
24 ORIGINALLY. I JUST WISH THAT I HAD KNOWN THAT, AND THIS WOULD NOT HAVE
25 BEEN AN ISSUE.

26 MEMBER PENNINGTON: MR. CURTIS?

AUDI-X REPORTING

1 CHAIRMAN EATON: MR. PENNINGTON.

2 MEMBER PENNINGTON: I'LL BE HAPPY TO MOVE ADOPTION OF
3 RESOLUTION 1999-169 TO AWARD A CONTRACT IN THE AMOUNT OF 770,000 TO
4 SUKUT CONSTRUCTION, AND 770,000 TO GUINN CONSTRUCTION.

5 CHAIRMAN EATON: IF YOU WOULD JUST KINDLY HOLD THAT FOR ONE
6 MOMENT? WE HAVE A COUPLE OF SPEAKERS --

7 MEMBER PENNINGTON: OH, SURE.

8 CHAIRMAN EATON: -- SLIPS. I BELIEVE THEY'RE FOR THIS ITEM,
9 THEY HAVE IT LISTED AS 5-A, BUT I NOTICE A GENTLEMAN IS HERE FROM SUKUT
10 CONSTRUCTION, WHICH TELLS ME THAT THEY NUMBERS ARE WRONG.

11 SO, IS MR. DAVID GRATTAN HERE FROM SUKUT, AND IS IT ON
12 THIS ITEM THAT YOU CARE TO SPEAK OR IS IT ANOTHER ITEM? BECAUSE, WE
13 DON'T HAVE 5-A. DO YOU HAVE ANY COMMENT?

14 MR. JONES: HE HEARD THE MOTION.

15 CHAIRMAN EATON: OKAY. THEN I HAVE ANOTHER 5-A FROM RANDALL
16 ABBOTT. YOU HAVEN'T HEARD ME SPEAK YET, I DON'T KNOW IF YOU WANT TO DO
17 THAT.

18 MR. ABBOTT: MR. CHAIRMAN AND MEMBERS OF THE BOARD, MY NAME
19 IS RANDALL ABBOTT, AND I'M ADDRESSING YOU THIS AFTERNOON ON BEHALF OF
20 GUINN CONSTRUCTION.

21 GUINN CONSTRUCTION IS A FAMILY-OWNED BUSINESS THAT
22 TAKES A GREAT DEAL OF PRIDE IN THEIR WORK, AND IS VERY PLEASED TO BE
23 OFFERED THE OPPORTUNITY TO PARTICIPATE IN THIS CONTRACT.

24 TWO PRINCIPALS OF GUINN CONSTRUCTION ARE HERE TODAY,
25 MR. GARY GUINN AND MR. JEFF ALFONSO (PHON). IF YOU HAVE ANY QUESTIONS
26 AT ALL REGARDING THEIR PROPOSAL THEY WILL BE MORE THAN HAPPY TO ANSWER

AUDI-X REPORTING

1 THOSE QUESTIONS. THANK YOU VERY MUCH.

2 CHAIRMAN EATON: MR. PENNINGTON, MR. JONES HAD REMARKED THAT
3 IT WAS AT LEAST A POINT DISCUSSING WITH REGARD TO THESE ADDITIONAL
4 FUNDS.

5 SINCE WE HAVE FUNDS THAT GO ALL THE WAY THROUGH TO
6 JUNE 2000 AND WE'RE IN THE PROCESS OF CRAFTING SOME AMENDMENTS TO OUR
7 CURRENT POLICY, AS WELL AS A COST RECOVERY PROGRAM, THAT PERHAPS PART OF
8 THE MOTION OUGHT TO BE THE INCLUSION OF A SENTENCE THAT PERHAPS SAYS THE
9 MONIES IN THIS RESOLUTION TOTALING 1.5 MILLION 40 THOUSAND CANNOT BE
10 EXPENDED UNTIL THE BOARD ADOPTS ITS NEW 2136 PROGRAM, INCLUDING BUT NOT
11 LIMITED TO COST RECOVERY POLICY, ETC., OR IN EVENT OF AN EMERGENCY THE
12 BOARD MAY COME BACK -- THE STAFF MAY COME BACK TO THE BOARD WITH A
13 PROPOSAL FOR EXPENDING THESE FUNDS IN THE CASE OF AN EMERGENCY. THAT
14 WAY AT LEAST THESE FUNDS WOULD NOT BE SUBJECT TO ANY OF THE OLD POLICIES
15 OR INTERPRETATION WHICH HAS BEEN THE CAUSE OF SOME CONTROVERSY.

16 SENATOR ROBERTI.

17 MEMBER ROBERTI: WELL, I SHOULDN'T HAVE INTERRUPTED YOU, BUT
18 I'M WILLING TO WAIT ON THE ADOPTION OF THE POLICY AS LONG AS WE COME UP
19 WITH A POLICY ADOPTION WITHIN A SHORT PERIOD OF TIME.

20 CHAIRMAN EATON: I THINK IT'S ON --

21 MS. JORDAN: IT'S ON THE JUNE 9TH AGENDA.

22 CHAIRMAN EATON: JUNE 9TH.

23 MEMBER ROBERTI: JUNE 9TH? OKAY. SO THAT MEANS IF WE
24 WITHHOLD -- WE ADOPT THE --

25 CHAIRMAN EATON: WE'RE ALLOCATING THE MONEY.

26 MEMBER ROBERTI: WE ALLOCATE THE MONEY, THEY CAN'T SPEND IT

AUDI-X REPORTING

1 UNTIL AFTER JUNE 9TH. ASSUMING WE -- OH, THAT'S ALL RIGHT. OKAY. I'D
2 HATE TO WAIT TOO MUCH LONGER THAN THAT BECAUSE --

3 CHAIRMAN EATON: NO, CURRENTLY THERE'S MONEY ALREADY.

4 MEMBER ROBERTI: OKAY. OH, THERE IS? OKAY.

5 CHAIRMAN EATON: HOW MUCH MONEY DO WE HAVE -- THIS IS THESE
6 OVERLAPPING CONTRACTS WHICH CAUSE ME MUCH CONFUSION --

7 MEMBER ROBERTI: OKAY. THAT'S FINE, YEAH --

8 (THE PARTIES SIMULTANEOUSLY SPEAK.)

9 CHAIRMAN EATON: -- AND WHAT WE HAVE IS, WE HAVE UP INTO
10 JUNE 2000 I THINK WE HAVE REMAINING HOW MUCH?

11 STAFF: \$1.43 MILLION.

12 CHAIRMAN EATON: ONE-POINT-FOUR-THREE.

13 MEMBER ROBERTI: OKAY, FINE.

14 CHAIRMAN EATON: SO ALL WE'RE JUST BASICALLY SAYING IS THAT
15 WE WOULD GIVE THEM THE MONEY, THEY HAVE THE MONEY, AND JUST HOPEFULLY --
16 BECAUSE THERE MAY BE THE ISSUE OF FIRE SUPPRESSION, AS YOU KNOW THAT
17 AROSE IN ONE OF THE OTHER INSTANCES THAT WE'RE CONSIDERING, AND IF SOME
18 OF THOSE POP UP IT WOULD BE NICE THAT WE COULD HAVE THAT OPPORTUNITY, IF
19 WE DON'T HAVE A POLICY IN PLACE TO MAYBE ADOPT SOMETHING IN AN EMERGENCY
20 SITUATION WHICH ALLOWS US THOSE OPPORTUNITIES. AND THAT'S ALL, IT'S
21 MORE OF A PROACTIVE THAN A DEFENSIVE POSTURE IN THIS PARTICULAR MEASURE,
22 BUT....

23 MEMBER PENNINGTON: I DON'T HAVE A PROBLEM. IF YOU'D GIVE
24 ME -- IF YOU HAVE SOMETHING WRITTEN I'LL READ IT INTO THE RESOLUTION IF
25 YOU'D LIKE.

26 CHAIRMAN EATON: OH, I JUST GOT THIS --

AUDI-X REPORTING

1 MEMBER PENNINGTON: OH, OKAY.

2 CHAIRMAN EATON: -- I NEVER WRITE ANYTHING OUT. I KNEW A
3 FORMER INDIVIDUAL, AT THE TIME HE WROTE SOMETHING OUT HE KEPT REPEATING
4 WHAT HE WROTE.

5 MEMBER PENNINGTON: OKAY.

6 CHAIRMAN EATON: I THINK SOME OF US MAY KNOW WHO THAT
7 INDIVIDUAL IS, AND I'M NOT SAYING THAT TO SENATOR ROBERTI, I THINK HE
8 KNOWS THE INDIVIDUAL. BUT, GO AHEAD, I'M SORRY.

9 MEMBER PENNINGTON: SURE. WELL, I JUST MOVE ADOPTION OF
10 RESOLUTION 1999-169 TO AWARD THE CONTRACTS 770,000 TO SUKUT AND 770,000
11 TO GUINN CONSTRUCTION, PENDING RESOLUTION OF OUR POLICY ISSUE TO FUND
12 ANY NEW CONSTRUCTION WORK FOR THE AB 2136 PROGRAM.

13 DOES THAT --

14 CHAIRMAN EATON: THAT'S FINE.

15 MEMBER PENNINGTON: -- SATISFY YOU?

16 CHAIRMAN EATON: YEAH. SECOND?

17 MEMBER ROBERTI: I'LL SECOND.

18 CHAIRMAN EATON: SENATOR ROBERTI SECONDS. MR. PENNINGTON
19 MOVES, AND SENATOR ROBERTI SECONDS, THAT WE ADOPT RESOLUTION 1999-169
20 RELATING TO THE 2136 ALLOCATION OF FUNDS, AND ALSO WITH THE INCLUSION OF
21 THE CAVEAT THAT THESE FUNDS SHOULD NOT BE EXPENDED UNTIL THE ADOPTION OF
22 THE 2136 PROGRAM, OR IN THE EVENT THAT STAFF COMES BACK IN A
23 CIRCUMSTANCE WHICH DICTATES THAT WE NEED TO EXPEND THESE FUNDS PRIOR
24 THERETO. AND HOPEFULLY BY THE JUNE 9TH MEETING WE WILL HAVE RESOLVED
25 THAT ISSUE OF POLICY.

26 WITHOUT OBJECTION, MADAM SECRETARY, PLEASE CALL THE

AUDI-X REPORTING

1 ROLL.

2 THE SECRETARY: BOARD MEMBERS JONES?

3 MEMBER JONES: AYE.

4 THE SECRETARY: PENNINGTON?

5 MEMBER PENNINGTON: AYE.

6 THE SECRETARY: ROBERTI?

7 MEMBER ROBERTI: AYE.

8 THE SECRETARY: CHAIRMAN EATON?

9 CHAIRMAN EATON: AYE.

10 MOTION PASSES.

11 ITEM B --

12 MEMBER PENNINGTON: MR. CHAIRMAN, ONE QUESTION.

13 CHAIRMAN EATON: I'M SORRY, MR. PENNINGTON.

14 MEMBER PENNINGTON: OR A CLARIFICATION. SO THAT THESE

15 PEOPLE UNDERSTAND, THAT WE WILL ENCUMBER THE MONEY FOR THEIR

16 PARTICIPATION IN THIS PROGRAM, WE'RE JUST NOT GOING TO SPEND ANY UNTIL

17 WE GET OUR POLICY RESOLVED.

18 CHAIRMAN EATON: YEAH.

19 MEMBER PENNINGTON: AS FAR AS I UNDERSTAND.

20 CHAIRMAN EATON: BUT FOR SOME REASON -- I MEAN, WE HAVE

21 ABOUT ONE-POINT-FOUR LEFT, BUT LET'S SAY FOR SOME REASON THERE'S A

22 CATASTROPHIC EVENT THAT TAKES PLACE, EVEN FROM THIS DATE FORWARD, THAT

23 IS NOT GOING TO PROHIBIT USING THE ONE-POINT-FOUR, PLUS WHATEVER WE

24 ALLOCATED TODAY IF IT NEEDS TO BE TO RESOLVE THAT ISSUE. IT IS IN NO

25 WAY A MEANS OF SAYING IT'S NOT BEING ALLOCATED OR ANYTHING.

26 MEMBER PENNINGTON: RIGHT. I JUST WANTED TO ASSURE THAT

AUDI-X REPORTING

1 IT'S UNDERSTOOD --

2 CHAIRMAN EATON: ABSOLUTELY.

3 MEMBER PENNINGTON: -- THAT IN THEIR PLANNING THEY CAN PLAN
4 THAT, THAT THEY -- WE HAVE APPROVED A CONTRACT WITH THEM.

5 CHAIRMAN EATON: YOU HAVE SHOWED THEM THE MONEY, ABSOLUTELY.

6 AGENDA ITEM B: CONSIDERATION OF A REVISED SOLID WASTE FACILITY
7 PERMIT FOR THE KIEFER LANDFILL, SACRAMENTO COUNTY

8 CHAIRMAN EATON: ALL RIGHT. CONTINUING WITH ITEM NO. B,
9 KIEFER LANDFILL.

10 MR. WHITEHILL: GOOD MORNING, CHAIRMAN EATON, BOARD MEMBERS,
11 I'M JOHN WHITEHILL OF THE BOARD'S PERMITTING AND INSPECTION BRANCH, AND
12 I'LL BE INTRODUCING THE PROPOSED KIEFER LANDFILL PERMIT. I'LL BE
13 SUMMARIZING THE PROJECT AND PRESENTING STAFF'S FINDINGS AND
14 RECOMMENDATIONS.

15 THIS ITEM WAS ORIGINALLY SCHEDULED TO BE HEARD AT THE
16 BOARD'S APRIL 27TH BOARD MEETING LAST WEEK, BUT WAS CONTINUED UNTIL
17 TODAY. THERE ARE NO CHANGES TO THE ITEM, EXCEPT THAT TODAY IS NOW THE
18 LAST DAY THAT THE BOARD CAN ACT ON THIS PERMIT.

19 THIS PERMIT WAS LAST REVISED IN 1995, AFTER SACRAMENTO
20 COUNTY COMPLETED AN EIR FOR AN INCREASE IN DAILY DISPOSAL TONNAGE, AN
21 INCREASE IN THE HEIGHT OF THE FILL AREA, AND A LATERAL EXPANSION OF THE
22 FILL AREA. HOWEVER, THE 1995 PERMIT, WHEN IT WAS ISSUED, ONLY ALLOWED
23 THE DAILY TONNAGE INCREASE.

24 THE SACRAMENTO COUNTY BOARD OF SUPERVISORS AT THAT
25 TIME DECIDED TO LIMIT THE HEIGHT OF THE LANDFILL TO ITS CURRENT 325 FEET
26 ABOVE SEA LEVEL, AND DIRECTED THEIR STAFF TO PREPARE A SUPPLEMENTAL EIR

AUDI-X REPORTING

1 TO FURTHER ASSESS OTHER ALTERNATIVES TO EXPANDING THE LANDFILL. THE
2 SUPPLEMENTAL EIR WAS COMPLETED AND CERTIFIED IN OCTOBER OF 1998.

3 THE PERMIT BEFORE YOU TODAY AGAIN LIMITS THE HEIGHT OF
4 THE LANDFILL TO 325 FEET, BUT ALLOWS THE OPERATOR TO EXPAND THE LANDFILL
5 DISPOSAL AREA FROM THE CURRENTLY-PERMITTED 228 ACRES TO THE PROPOSED 660
6 ACRES, CHANGING THE ORIGINALLY-ESTIMATED CLOSURE DATE FROM 2001 TO THE
7 YEAR 2035.

8 THIS EXPANSION AREA CONTAINS APPROXIMATELY 4.8 ACRES
9 OF FEDERALLY-DESIGNATED WETLANDS WHICH ARE THE HABITAT FOR AN ENDANGERED
10 SPECIE OF FAIRY (PHON) SHRIMP. THE ENVIRONMENTAL IMPACT REPORT
11 CONCLUDES THAT THERE ARE NO FEASIBLE ALTERNATIVES TO THE PROPOSED
12 EXPANSION, AND REQUIRES MITIGATIONS TO OFFSET THE DESTRUCTION OF THE
13 VERNAL POOLS AND THE OTHER WETLAND AREAS.

14 THE OPERATOR'S PRESENTATION LATER THIS MORNING WILL
15 CONTAIN SOME MAPS AND OVERHEADS TO SHOW YOU THE EXACT LOCATION OF THE
16 EXPANSION.

17 ALSO, THIS PERMIT WILL INITIALLY REDUCE THE PERMITTED
18 AVERAGE AND PEAK DAILY TONNAGES OF THE LANDFILL. THE TONNAGES WILL BE
19 INITIALLY REDUCED FROM THE CURRENT AVERAGE OF 3900 AND PEAK OF 6100 TONS
20 PER DAY, TO AN AVERAGE OF 2400 AND A PEAK OF 4,000 TONS PER DAY. AND
21 THEN THE PERMIT ALLOWS A GRADUAL INCREASE UP TO AN AVERAGE OF 6300 TONS
22 PER DAY AND 10,800 TONS PER DAY BY THE TIME THE LANDFILL REACHES
23 CAPACITY IN THE YEAR 2035. AS YOU CAN SEE, THE PERMIT WON'T ALLOW THE
24 PERMITTED PEAK OR AVERAGE TONNAGES TO EXCEED WHAT THEY ARE CURRENTLY
25 UNTIL APPROXIMATELY THE YEAR 2015.

26 ANY OPERATOR PROPOSING TO CHANGE THE DESIGN OR

AUDI-X REPORTING

1 OPERATION OF THE SOLID WASTE FACILITY IS REQUIRED TO SUBMIT AN
2 APPLICATION FOR PERMIT REVISION TO THE LEA. THE PERMIT APPLICATION
3 PACKAGE FOR A LANDFILL IS REQUIRED TO CONTAIN THE REPORT OF DISPOSAL
4 SITE INFORMATION, ANY CEQA INFORMATION, ANY REQUIRED LAND USE PERMITS,
5 COMPLETE CLOSURE AND POST-CLOSURE MAINTENANCE PLANS, AN OPERATING
6 LIABILITY DEMONSTRATION, A DEMONSTRATION OF FINANCIAL ASSURANCE FOR
7 CLOSURE AND POST-CLOSURE MAINTENANCE, AND ALSO A FINDING OF CONFORMANCE
8 WITH THE COUNTY'S INTEGRATED WASTE MANAGEMENT PLAN. THE LEA HAS
9 DETERMINED THAT THE APPLICATION PACKAGE IS COMPLETE AND CORRECT.

10 ALSO, SECTION 44009 OF THE PUBLIC RESOURCES CODE
11 STATES THAT THE BOARD SHALL OBJECT TO THE PROVISIONS OF A PROPOSED
12 PERMIT IF THE BOARD DETERMINES THAT THE PERMIT IS NOT CONSISTENT WITH
13 ANY OF THE FOLLOWING STANDARDS: EITHER STATE MINIMUM OPERATING AND
14 DESIGN STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL; OR, FINANCIAL
15 ABILITY STANDARDS FOR THE ESTIMATED COSTS OF LANDFILL CLOSURE AND POST-
16 CLOSURE MAINTENANCE; OR, THE FINANCIAL RESPONSIBILITY STANDARDS FOR
17 OPERATING LIABILITY CLAIMS; OR, ANY OTHER STANDARDS OR REGULATIONS
18 ADOPTED BY THE BOARD OR THE COUNTY'S INTEGRATED WASTE MANAGEMENT PLAN.

19 IN ADDITION, THE BOARD MAY ALSO OBJECT TO A PERMIT IF
20 THE OPERATOR IS NOT IN COMPLIANCE WITH AN ENFORCEMENT ORDER ISSUED BY
21 THE REGIONAL WATER QUALITY CONTROL BOARD, OR IF THE STATE WATER BOARD
22 HAS NOT TAKEN ACTION ON AN APPEAL PETITION THAT INCLUDES A REQUEST FOR A
23 STAY.

24 AT THE TIME THAT THE AGENDA ITEM BEFORE YOU WENT TO
25 PRINT THERE WERE STILL TWO FINDINGS WITHIN THE BOARD'S AUTHORITY THAT
26 HAD NOT YET BEEN MADE BY BOARD STAFF. ONE WAS CONSISTENCY WITH THE

AUDI-X REPORTING

1 INTEGRATED WASTE MANAGEMENT PLAN, AND THE OTHER WAS CONSISTENCY WITH
2 STATE MINIMUM STANDARDS.

3 SECTION 50001 OF THE PUBLIC RESOURCES CODE STATES, IN
4 PART, THAT NO PERSON SHALL ESTABLISH OR EXPAND A SOLID WASTE FACILITY
5 UNLESS THE LANDFILL LOCATION IS IDENTIFIED IN THE SITING ELEMENT OF THE
6 COUNTY'S INTEGRATED WASTE MANAGEMENT PLAN.

7 THE TONNAGE FORECASTS OF THE PERMIT AND THE TONNAGE
8 FORECASTS OF THE SITING ELEMENT DO NOT PRECISELY MATCH WHEN PROJECTED
9 BEYOND THE YEAR 2011. HOWEVER, THE LANDFILL LOCATION IS IDENTIFIED IN
10 THE SITING ELEMENT, AND THE PROPOSED EXPANSION IS ALSO DESCRIBED IN THE
11 SITING ELEMENT.

12 IN ADDITION, THE PROPOSED EXPANSION WOULD GIVE THE
13 COUNTY THE REQUIRED 15 YEARS OF DISPOSAL CAPACITY.

14 ALSO, THE LEA AND BOARD STAFF INSPECTED THE LANDFILL
15 ON MARCH 26TH, AND NOTED A VIOLATION OF THE BOARD'S STANDARD WHICH
16 REQUIRES ALL WASTE TO BE COVERED AT THE END OF EACH OPERATING DAY. THE
17 TARP USED TO COVER THE WASTE DID NOT COVER ONE CORNER OF THE PREVIOUS
18 DAY'S WORKING FACE. A REVIEW OF THE LEA'S MONTHLY INSPECTION REPORTS
19 INDICATES THAT THIS IS NOT NORMALLY A PROBLEM. THE LEA HAS SINCE BEEN
20 BACK TO THE SITE TO VERIFY THAT THE OPERATOR HAS TAKEN STEPS TO PREVENT
21 THIS FROM HAPPENING IN THE FUTURE.

22 NO OTHER VIOLATIONS WERE NOTED ON THE DAY OF THE
23 INSPECTION AND THE LEA HAS NOT NOTED ANY OTHER VIOLATIONS WITHIN THE
24 LAST YEAR.

25 HOWEVER, THERE IS ONE AREA OF CONCERN THAT IS WORTH
26 NOTING TODAY. BOARD STANDARDS REQUIRE LANDFILL OPERATORS TO PREVENT

AUDI-X REPORTING

1 EXPLOSIVE LEVELS OF LANDFILL GAS FROM MIGRATING OFF SITE. KIEFER
2 LANDFILL WAS PLACED ON THE BOARD'S INVENTORY OF FACILITIES THAT VIOLATE
3 STATE MINIMUM STANDARDS BACK IN AUGUST OF 1996 FOR GAS CONTROL
4 VIOLATIONS. THE SITE HAS SINCE BEEN REMOVED FROM THE INVENTORY, IN JUNE
5 OF 1997, AFTER THE INSTALLATION AND OPERATION OF A LANDFILL GAS CONTROL
6 SYSTEM BROUGHT THE METHANE LEVELS BELOW REGULATORY LEVELS AT THE FACILITY
7 BOUNDARY.

8 IN LATE 1998 THE LEA BECAME AWARE THAT ONE PERIMETER
9 GAS PROBE, LOCATED NEAR THE WESTERN BOUNDARY OF THE LANDFILL,
10 OCCASIONALLY DETECTS HIGH LEVELS OF METHANE. THE LEA REQUIRED THE
11 OPERATOR TO SUBMIT A REPORT TO EXPLAIN THESE OCCURRENCES.

12 THE REPORT CONCLUDES THAT THE LANDFILL GAS COLLECTION
13 SYSTEM IS NOT ONLY PULLING GAS OUT OF THE LANDFILL, BUT IS ALSO DRAWING
14 BACK SOME OF THE GAS THAT HAD PREVIOUSLY MIGRATED OFF SITE PRIOR TO THE
15 GAS CONTROL SYSTEM BEING INSTALLED. APPARENTLY SOME OF THE GAS
16 GENERATED BEFORE INSTALLATION OF THE CONTROL SYSTEM HAD MOVED INTO A
17 SUBSURFACE SAND LAYER AND HAS NOT YET DISSIPATED.

18 BOARD AND LEA STAFF AGREE THAT THE REPORT CONTAINS
19 ENOUGH EVIDENCE TO SUPPORT THEIR THEORY THAT THE MOST LIKELY SOURCE OF
20 THE OCCASIONAL MONITORING EVENTS IS THAT OFF-SITE RESIDUAL GAS POCKET.
21 THE OPERATOR IS REQUIRED TO CONTINUE MONITORING THE OFF-SITE GAS POCKET
22 TO MAKE SURE THAT IT WILL EVENTUALLY DISSIPATE.

23 ALSO, REPRESENTS OF A CONCERNED CITIZENS GROUP HAVE
24 RAISED SEVERAL OTHER ISSUES, AND WHILE THESE CONCERNS ARE NOT UNDER THE
25 AUTHORITY OF THIS BOARD, I WILL BRIEFLY ADDRESS THOSE ISSUES THAT HAVE
26 BEEN SUBMITTED IN WRITING TO THE LEA.

AUDI-X REPORTING

1 THE COALITION FOR ALTERNATIVES TO KIEFER LANDFILL
2 CONTENTS THAT THE PERMIT VIOLATES FEDERAL STANDARDS BY FAILING TO
3 CONSIDER ALTERNATIVE LOCATIONS WHICH WOULD NOT DESTROY THE WETLANDS.
4 FEDERAL AND STATE STANDARDS RESTRICT THE SITING OR EXPANSION OF
5 LANDFILLS INTO DESIGNATED WETLANDS.

6 THE EIR PREPARED FOR THIS EXPANSION STATES THAT THERE
7 ARE NO FEASIBLE ALTERNATIVES TO THE EXPANSION, AND THAT STEPS HAVE BEEN
8 TAKEN TO MINIMIZE THE DESTRUCTION OF WETLANDS. THE EIR ALSO REQUIRES
9 MITIGATIONS TO OFFSET THE DESTRUCTION OF THE 4.8 ACRES OF WETLANDS IN
10 THE EXPANSION AREA.

11 THE REGIONAL WATER QUALITY CONTROL BOARD IS A STATE
12 AGENCY WITH AUTHORITY OVER WETLAND SITING, AND HAS ISSUED NEW WASTE
13 DISCHARGE REQUIREMENTS WHICH REQUIRE THE WETLANDS MITIGATION PLAN TO BE
14 APPROVED BY THE U.S. FISH AND WILDLIFE SERVICE PRIOR TO ANY CONSTRUCTION
15 OF THE EXPANSION MODULES.

16 SECOND, THE COALITION CONTENTS THAT THE PERMIT DOES
17 NOT ADEQUATELY PROTECT GROUND WATER. THE OLD, INACTIVE, AND UNLINED
18 MODULE HAS CAUSED GROUND WATER CONTAMINATION, POSSIBLY AS A RESULT OF
19 HISTORIC CONTACT WITH LANDFILL GAS.

20 THE OPERATOR IS CURRENTLY IN COMPLIANCE WITH ALL WATER
21 BOARD ENFORCEMENT ORDERS TO CLEAN UP THE GROUND WATER. A GROUND WATER
22 EXTRACTION AND TREATMENT SYSTEM HAS BEEN IN PLACE SINCE 1995, AND A
23 LANDFILL GAS CONTROL SYSTEM HAS BEEN IN OPERATION SINCE 1997.

24 THE DESIGN OF THE PROPOSED EXPANSION WILL MEET THE
25 WATER BOARD'S LINER AND LEACHATE CONTROL REQUIREMENTS. AND THE WATER
26 BOARD APPROVED THE NEW WASTE DISCHARGE REQUIREMENTS FOR THE LANDFILL

AUDI-X REPORTING

1 EXPANSION ON APRIL 30TH.

2 THIRD, THE COALITION SAYS THAT THE PERMIT FAILS TO
3 PROVIDE FINANCIAL ASSURANCE FOR FUTURE CORRECTIVE ACTIONS.

4 A LANDFILL OPERATOR IS REQUIRED TO MAKE THREE
5 FINANCIAL ASSURANCE DEMONSTRATIONS. THE FIRST IS FOR OPERATING
6 LIABILITY, THE SECOND IS FINANCIAL ASSURANCE FOR CLOSURE AND POST-
7 CLOSURE MAINTENANCE, AND THE THIRD IS CORRECTIVE ACTION FOR KNOWN OR
8 FORESEEABLE RELEASES OF CONTAMINATION.

9 THE FIRST TWO DEMONSTRATIONS ARE REQUIRED TO BE IN
10 PLACE PRIOR TO BOARD CONCURRENCE IN A PROPOSED PERMIT. IN FACT, THE
11 BOARD STAFF HAVE DETERMINED THAT THE OPERATOR IS CURRENTLY IN COMPLIANCE
12 WITH THESE STANDARDS.

13 THE OTHER DEMONSTRATION IS UNDER THE AUTHORITY OF THE
14 WATER BOARD AND IS INTENDED TO ENSURE THAT OPERATOR CAN PAY FOR POSSIBLE
15 FUTURE CLEANUP OF GROUND WATER. THIS DEMONSTRATION IS NOT A REQUIRED
16 COMPONENT OF A SOLID WASTE FACILITY PERMIT APPLICATION. OUR BOARDS ONLY
17 ROLE IS TO PROVIDE TECHNICAL EXPERTISE REGARDING THE FINANCIAL MECHANISM
18 FOR MAKING THE CORRECTIVE ACTION DEMONSTRATION. THE WATER BOARD HAS
19 APPROVED THE COST ESTIMATES FOR THIS CORRECTIVE ACTION, AND THE WASTE
20 BOARD STAFF HAVE APPROVED THE FINANCIAL MECHANISM FOR THAT
21 DEMONSTRATION.

22 ASSEMBLY BILL 1220 AND PUBLIC RESOURCES CODE SECTIONS
23 43055 AND 43101 REQUIRE THE WASTE BOARD AND THE WATER BOARDS TO MAINTAIN
24 A CLEAR AND CONCISE DIVISION OF AUTHORITY, AND REMOVE ALL AREAS OF
25 OVERLAP, DUPLICATION, AND CONFLICT.

26 THE STATE AND REGIONAL WATER BOARDS ARE REQUIRED TO BE

AUDI-X REPORTING

1 THE SOLE AGENCIES REGULATING THE DISPOSAL AND CLASSIFICATION OF SOLID
2 WASTE FOR THE PURPOSE OF PROTECTING THE WATERS OF THE STATE, AND ALSO
3 THE ADOPTION OF REGULATIONS, PLANS, PERMITS OR STANDARDS, OR ANY
4 ENFORCEMENT ACTIONS SHALL NOT DUPLICATE OR BE IN CONFLICT WITH ANY
5 DETERMINATION RELATING TO WATER QUALITY CONTROL MADE BY THE STATE OR
6 REGIONAL WATER QUALITY BOARDS.

7 AS I MENTIONED EARLIER, THE WATER BOARD APPROVED THE
8 WASTE DISCHARGE REQUIREMENTS FOR THIS EXPANSION ON APRIL 30TH.

9 IN CONCLUSION, BOARD STAFF HAVE EVALUATED THE PROPOSED
10 PERMIT AND DETERMINED THAT IT COMPLIES WITH THE APPLICABLE LAWS AND
11 REGULATIONS AND MEETS THE STANDARDS ADOPTED BY THE BOARD, AND THAT ALL
12 APPLICABLE STATE AND LOCAL REQUIREMENTS PRECEDENT TO BOARD ACTION ON THE
13 PROPOSED PERMIT HAVE BEEN MET.

14 STAFF RECOMMEND ADOPTION OF RESOLUTION NO. 1999-162,
15 CONCURRING IN THE ISSUANCE OF SOLID WASTE FACILITY PERMIT NO. 34-AA-
16 0001.

17 THE OPERATOR IS HERE WITH A SHORT PRESENTATION, AND
18 THE LEA IS HERE TO ANSWER ANY QUESTIONS. ALSO, THERE ARE SOME MEMBERS
19 OF THE PUBLIC THAT ALSO HAVE A PRESENTATION. THANK YOU.

20 CHAIRMAN EATON: ANY QUESTIONS OF MR. WHITEHILL? OKAY.

21 MR. CERMAK: JIM CERMAK WITH THE LEA. NO COMMENTS AT THIS
22 TIME.

23 CHAIRMAN EATON: OKAY. I HAVE TWO SPEAKER SLIPS.

24 MR. WHITEHILL: I BELIEVE THE OPERATOR HAS A PRESENTATION
25 ALSO.

26 CHAIRMAN EATON: OKAY. I DON'T HAVE ANY SLIP. I KNOW YOU

AUDI-X REPORTING

1 MENTIONED IT, SO HAVE THEM COME FORWARD AND THEN WE'LL HAVE THE SPEAKER
2 SLIPS THAT I DO HAVE.

3 MR. MAXFIELD: THANK YOU, MR. CHAIRMAN AND MEMBERS OF THE
4 BOARD, FOR THIS OPPORTUNITY TO TALK TO YOU ON THIS ITEM. I DO HAVE A
5 SHORT PRESENTATION. AND I AM PATRICK MAXFIELD FROM SACRAMENTO COUNTY
6 PUBLIC WORKS AGENCY. AND IF WE CAN GET THIS PRESENTATION UP AND
7 RUNNING?

8 WHAT I'D LIKE TO TALK ABOUT IS A LITTLE HISTORY OF THE
9 SITE WHICH MIGHT HELP PUT SOME OF THESE ISSUES INTO PERSPECTIVE.

10 THIS IS A VIEW OF THE LANDFILL, LOOKING NORTH. THIS
11 ROAD HERE IS GRANT LINE ROAD, AND THIS IS KIEFER BOULEVARD, AND YOU CAN
12 SEE HERE IN THE CENTER THE PART THAT'S BEEN IMPACTED BY LANDFILLING
13 SINCE THE SITE BEGAN IN 1967. AND IT SITS ON PROPERTY THAT WE PURCHASED
14 BACK IN 1967, 650 ACRES, AND FROM THAT TIME UNTIL THE EARLY '90S THERE
15 WAS ACTUALLY AN ENTITLEMENT TO LANDFILL OVER THE ENTIRE 650-ACRE PARCEL,
16 AND THAT ENTITLEMENT CAME FROM THE REGIONAL WATER QUALITY BOARD, AND
17 LATER YOUR BOARD, THE INTEGRATED WASTE BOARD.

18 THE WASTE ITSELF TODAY IS CONFINED STRICTLY TO THE
19 AREA HERE IN PURPLE, OUTLINED IN PURPLE. AND THIS BLACK LINE SHOWS THE
20 AREA IN WHICH, UP UNTIL 1995, OUR COUNTY HAD AN ENTITLEMENT TO ACTUALLY
21 PLACE WASTE THROUGHOUT THE ENTIRE SITE.

22 IN EARLY 1990S, WHEN WE SET OUT TO EXPAND THE
23 LANDFILL, WE DISCOVERED WETLANDS, WHICH ARE LOCATED AND DEPICTED HERE IN
24 GREEN. AND THIS CAUSED US AT THAT TIME TO STOP, EXAMINE WHAT THIS
25 MEANT, AND WHAT WE DISCOVERED WAS THAT THESE WERE JURISDICTIONAL
26 WETLANDS INVOLVING THE CORPS OF ENGINEERS AND WOULD REQUIRE 404 PERMITS.

AUDI-X REPORTING

1 SO WE DECIDED THAT IT WOULD TAKE SOME TIME TO DO ALL
2 THE TASKS TO EXPAND, SO WHAT WE DID IS, WE THEN ACQUIRED A PERMIT, WHICH
3 IS THIS AREA IN RED, AND THAT'S THE PERMIT THAT WE HAVE TODAY. THAT'S
4 THE CURRENT ENTITLEMENT. AND WHAT WE'RE -- AND AS YOU CAN SEE, THAT
5 ENTITLEMENT DOESN'T ALLOW US TO LANDFILL WHERE WE PREVIOUSLY COULD.

6 THE BLUE AREA, OR THE BLUE LINE, REPRESENTS THE
7 LANDFILL THAT HAS EMERGED FROM OUR RECONSIDERATION AND REDESIGN. AND
8 THE IMPORTANT THING I WANT TO SHOW HERE IS THAT THE PRESENCE OF THE
9 WETLANDS ACTUALLY DROVE WHERE THIS EXPANSION BOUNDARY WOULD BE.

10 AND THE AREA WHERE WETLANDS ARE IMPACTED IS A SMALL
11 AREA RIGHT HERE, AND ANOTHER SMALLER AREA RIGHT HERE. THESE ARE THE
12 ONLY JURISDICTIONAL WETLANDS.

13 AND WE'VE BEEN COLLABORATING WITH THE FEDERAL AGENCIES
14 INVOLVED, THE CORPS OF ENGINEERS, FEDERAL FISH AND WILDLIFE, AND EPA,
15 AND WE WERE ON A COURSE TO GET A 404 PERMIT BUT A RECENT FEDERAL LAW
16 SUIT CHANGED HOW THAT'S MANAGED, AND THE CORPS OF ENGINEERS NOW IS NO
17 LONGER INVOLVED, AT LEAST TEMPORARILY, UNTIL APPEALS ARE FINISHED.

18 AND SO WHAT THAT MEANS IS, WE'RE NOW LEFT TO TALK TO
19 THE FISH AND WILDLIFE, WHICH IS WHAT WE'RE DOING, WE HAVE A SECTION 10
20 CONSULTATION UNDERWAY WITH FISH AND WILDLIFE. AND WHAT WE'VE DONE IS,
21 WE'VE TAKEN THE MITIGATION PLAN THAT WE HAD PREVIOUSLY ACQUIRED BY
22 WORKING WITH THE CORPS OF ENGINEERS, EPA AND FISH AND WILDLIFE, AND WE
23 ARE TAKING THAT DOCUMENT AND WORKING WITH FISH AND WILDLIFE TO PROCEED
24 FORWARD WITH IT.

25 THE END RESULT WOULD BE IF EXPANSION IS APPROVED, AND
26 FISH AND WILDLIFE CONTINUES IN THEIR PREVIOUS APPROVAL, IS THAT THE AREA

AUDI-X REPORTING

1 IN GREEN THAT YOU SEE HERE OUTSIDE OF THE BLUE LINE WOULD BE PROTECTED
2 IN PERPETUITY, WHICH IS IN ESSENCE FOREVER. SO, NO KIND OF USE COULD GO
3 IN THERE, IT WOULD BE OPEN SPACE AND WOULD STAY THERE FOREVER.

4 I'D JUST LIKE TO FINISH WITH JUST A LIST OF THE
5 PERMITS THAT -- AND THE DOCUMENTS THAT WE'VE RECEIVED TO DATE FOR THE
6 ENTIRE LANDFILL, KIND OF CHANGING FROM WETLANDS, BUT THIS IS EVERYTHING
7 TO DATE.

8 WE HAVE WORKED WITH U.S. EPA AND OUR LOCAL AIR QUALITY
9 DISTRICT TO GET OUR TITLE V OPERATING PERMIT AND -- AS REQUIRED BY THE
10 CLEAN AIR ACT. THAT'S DONE.

11 WE'VE WORKED WITH OUR LOCAL AIR DISTRICT TO GET AN
12 AUTHORITY TO CONSTRUCT PERMIT AND OPERATE OUR LANDFILL GAS COLLECTION
13 SYSTEM, FLARE (PHON), AND OUR FUTURE LANDFILL GAS TO ENERGY PROJECT,
14 WHICH IS NOW UNDER CONSTRUCTION.

15 AND OUR LOCAL BOARD OF SUPERVISORS HAS CERTIFIED THE
16 ENVIRONMENTAL IMPACT REPORT AND HAS APPROVED THE PROJECT, WHICH HAS
17 ALLOWED US TO COME FORWARD WITH OUR APPLICATION TO YOUR BOARD.

18 AND THE REGIONAL WATER QUALITY CONTROL BOARD LAST
19 FRIDAY ADOPTED THE WASTE DISCHARGE REQUIREMENTS FOR THIS EXPANSION
20 PROJECT.

21 AND U.S. FISH AND WILDLIFE, AS I JUST MENTIONED, WE
22 ARE IN CONSULTATION WITH THEM OVER SECTION 10(A) OF THE ENDANGERED
23 SPECIES ACT.

24 AND FINALLY, THE LOCAL ENFORCEMENT AGENCY HAS ISSUED
25 THE INTEGRATED WASTE BOARD PERMIT WHICH IS THE SUBJECT OF THE MATTER
26 HERE TODAY.

AUDI-X REPORTING

1 AND THEN FINALLY, CONCURRENCE BY YOUR BOARD WITH THAT
2 PERMIT IS THE SUBJECT OF WHY WE'RE HERE TODAY.

3 AND THESE ARE THE FINAL SLIDES, AND I'D JUST LIKE TO
4 TOUCH ON THE MONITORING THAT WE HAVE UNDERWAY. AND IT'S VERY IMPORTANT
5 AS YOU CONSIDER THIS PROJECT TO KEEP A DISTINCTION BETWEEN THE UNLINED
6 PORTION, WHICH IS DEPICTED HERE IN LIGHT GREEN, AND THE LINED PORTION
7 WHICH -- THIS IS THE CURRENT SITUATION OUT THERE NOW, WE HAVE AN UNLINED
8 LANDFILL, THE YELLOW IS LINED.

9 AND ALSO ON THE PROGRESSION OF MODULES WILL ALL BE
10 LINED, AND THEY'RE SHOWN IN THE MANNER IN WHICH WE WOULD BE INSTALLING
11 THEM IF APPROVED.

12 AND FINALLY WE HAVE A WHOLE VARIETY OF INFORMATION ON
13 THE SUBSURFACE WHICH SHOWS YOU THAT THROUGHOUT THE ENTIRE SITE -- WE
14 MONITOR IN THE UPPER REGION IN YELLOW, THE MIDDLE REGION IN GREEN, AND
15 THE BOTTOM REGION IN PURPLE, AND WE'VE BEEN DOING THIS CONTINUOUSLY WITH
16 55 OR MORE MONITORING WELLS. AND SO WE HAVE, WE BELIEVE, A VERY SOUND
17 UNDERSTANDING OF WHAT'S HAPPENING IN THE SUBSURFACE.

18 WE DO HAVE A LITTLE CONTAMINATION PLUME THAT SETS IN
19 HERE, LOCALLY CONFINED, IMMEDIATELY UNDER THE LANDFILL.

20 AND THIS HERE DEPICTS ALL OF THE MONITORING WELLS AND
21 OTHER MONITORING POINTS THAT WE HAVE AT THE SITE.

22 AND I BELIEVE THAT'S -- SHOULD BE ALL I'D LIKE TO GO
23 IN TO NOW. I HAVE OTHER SLIDES IF YOU WANT TO GET INTO OTHER TOPICS,
24 BUT THAT PRESENTS WHAT I WOULD LIKE TO PRESENT. AND IF YOU HAVE ANY
25 QUESTIONS I'D BE MORE THAN HAPPY TO ANSWER THEM.

26 CHAIRMAN EATON: ANY QUESTIONS FOR MR. MAXFIELD? SENATOR

AUDI-X REPORTING

1 ROBERTI.

2 MEMBER ROBERTI: WE'VE REVIEWED THIS REQUEST RATHER
3 EXTENSIVELY, NOW IN THE HEARING BUT ALSO INFORMALLY.

4 THE ONE THING THAT STILL CAUSES ME SOME -- THE ONE
5 THING THAT CAUSES ME A DEGREE OF CONCERN IS THE FACT THAT THE CITY OF
6 SACRAMENTO WILL NOT BE USING KIEFER, AND YET KIEFER HAS NOT ADJUSTED THE
7 AMOUNT OF ACREAGE -- THE COUNTY HASN'T ADJUSTED THE AMOUNT OF ACREAGE
8 THAT THEY'RE REQUESTING FOR THIS PERMIT, WHICH COULD GIVE SOME CREDENCE
9 TO CONCERNS THAT THE COUNTY IS PLANNING TO TAKE IN MORE WASTE THAN IS
10 CURRENTLY ANTICIPATED.

11 WHAT DO YOU HAVE TO SAY ABOUT THAT?

12 MR. MAXFIELD: WELL, AS WE SPEAK THE CITY OF SACRAMENTO IS
13 USING THE SITE, AND --

14 MEMBER ROBERTI: WELL, I KNOW THAT. BUT I UNDERSTAND
15 THEY'RE GOING TO GO --

16 MR. MAXFIELD: THAT'S TRUE.

17 MEMBER ROBERTI: THEY'RE GOING TO GO ELSEWHERE.

18 MR. MAXFIELD: THAT'S TRUE. SACRAMENTO COUNTY HAS NO
19 INTENTION OF GOING BEYOND WASTE GENERATED IN THE COUNTY. FURTHERMORE,
20 PROBABLY WOULD NOT BE ECONOMICALLY FEASIBLE, AS YOU -- I THINK YOU'RE
21 ALLUDING TO MAYBE HAVING IMPORTED WASTE FROM OUTSIDE --

22 MEMBER ROBERTI: LIKE WHAT ORANGE COUNTY DOES.

23 MR. MAXFIELD: RIGHT.

24 MEMBER ROBERTI: THEY TAKE IN WASTE FROM EVERYBODY AND IT
25 HELPS GET THEM OUT OF THEIR DEBT.

26 MR. MAXFIELD: RIGHT. THE PERMIT THAT WE HAVE BEFORE YOU IS

AUDI-X REPORTING

1 -- WAS BASED ON THE FACT THAT THE CITY WOULD BE THERE, THAT'S TRUE, ALL
2 THE WASTE PROJECTIONS SHOW THEM BEING THERE. AND IT WAS JUST RECENTLY
3 THAT WE'VE LEARNED THAT -- FOR THEIR POTENTIAL TO LEAVE.

4 HOWEVER, IT'S ALSO POSSIBLE THAT THEY COULD COME BACK.
5 THEY COULD COME BACK AS QUICKLY AS THEY LEAVE.

6 WE'RE DOING A VARIETY OF THINGS LOCALLY. WE'RE
7 LOWERING OUR -- WE'RE AT LEAST RECOMMENDING THAT OUR BOARD LOWER THE
8 LANDFILL RATE TO BECOME A LITTLE MORE COMPETITIVE AND THAT SORT OF
9 THING.

10 BUT EVEN IF THE CITY WERE TO LEAVE PERMANENTLY, MY
11 SENSE IS THAT WHAT HAPPENS IS THE LANDFILL WOULD JUST LAST LONGER, IT
12 WOULD TAKE US INSTEAD OF THE 35 YEARS TO BUILD THIS OUT, ASSUMING THAT
13 ALL THAT WASTE WAS THERE, IT WOULD TAKE SOME ADDITIONAL LENGTH OF TIME.
14 WE'VE CALCULATED THAT TO BE IN THE RANGE OF ABOUT ANOTHER FIVE YEARS.
15 THE IMPACT OF THE CITY WASTE WOULD INCREASE -- IF WE WERE TO REMOVE IT
16 WOULD INCREASE THE LIFE FROM 2035 TO ABOUT 2040.

17 SO THAT'S THE IMPACT WE'RE TALKING ABOUT, IT'S --

18 MEMBER ROBERTI: WELL, I'M NOT DOUBTING YOUR STATISTICS,
19 THAT'S -- THAT SEEMS A LITTLE BIT CONSERVATIVE.

20 MR. MAXFIELD: WELL, BUT NO, WE --

21 MEMBER ROBERTI: BECAUSE ISN'T THE CITY ROUGHLY LIKE -- I
22 GUESS SACRAMENTO HAS A DISADVANTAGE THAT, YOU KNOW, ALL OF US, EVEN IF
23 WE'RE NOT RESIDENTS OFFICIALLY LIVE HERE ANYWAY, SO WE KNOW -- WE KNOW
24 ABOUT YOUR SITUATION PROBABLY MORE THAN OTHER PARTS OF THE STATE.

25 MR. MAXFIELD: RIGHT.

26 MEMBER ROBERTI: BUT ISN'T THE CITY LIKE --

AUDI-X REPORTING

1 MR. MAXFIELD: I'M SORRY?

2 MEMBER ROBERTI: ISN'T THE CITY ABOUT 30%, 35% OF THE COUNTY
3 POPULATION? I DON'T KNOW WHAT PROJECTIONS ARE, BUT --

4 MR. MAXFIELD: YEAH, THAT'S ABOUT THE RIGHT RANGE. YEAH.

5 MEMBER ROBERTI: YEAH. I DON'T SEE -- WELL, MAYBE YOU --

6 MR. MAXFIELD: BUT WE'VE ACTUALLY --

7 MEMBER ROBERTI: I JUST DON'T SEE HOW THAT WOULD ONLY MEAN
8 FIVE YEARS.

9 MR. MAXFIELD: WE'VE ACTUALLY COMPARED THAT, WE DONE OUR
10 SPREADSHEETS AND --

11 MEMBER ROBERTI: I'M NOT DOUBTING YOU, JUST --

12 MR. MAXFIELD: RIGHT.

13 MEMBER ROBERTI: -- IT'S HARD TO COMPREHEND.

14 MR. MAXFIELD: OKAY.

15 CHAIRMAN EATON: THANK YOU. I HAVE TWO SPEAKER SLIPS. MR.
16 KELLY SMITH REPRESENTING THE COALITION FOR ALTERNATIVES TO KIEFER
17 LANDFILL.

18 MR. SMITH: MR. CHAIRMAN, KELLY SMITH FOR THE COALITION FOR
19 ALTERNATIVES TO KIEFER LANDFILL.

20 BUT I'D LIKE TO -- IF GEORGE WAEGELL COULD GO BEFORE
21 ME, AND I'LL GO AFTERWARDS?

22 CHAIRMAN EATON: SURE.

23 MR. SMITH: THANK YOU.

24 CHAIRMAN EATON: MR. GEORGE WAEGELL.

25 MR. WAEGELL: (INAUDIBLE; OFF MIKE.)

26 CHAIRMAN EATON: EXCUSE ME, COULD YOU JUST -- WELL, TAKE A

AUDI-X REPORTING

1 FEW MINUTES. SURE, JUST TAKE A FEW MINUTES.

2 MR. WAEGELL, COULD YOU GO TO THE MICROPHONE AND
3 ANNOUNCE YOUR NAME, AND THEN -- JUST FOR THE RECORD, JUST SO WE CAN
4 ESTABLISH THAT.

5 MR. WAEGELL: MY NAME IS GEORGE WAEGELL

6 (REPORTER'S NOTE: MR. WAEGELL REFUSED TO USE THE NIKE,
7 WALKED ALL OVER THE PLACE AND NO ADEQUATE RECORDING AND/OR REPORTING
8 COULD BE MADE.)

9 CHAIRMAN EATON: KELLY SMITH?

10 MR. SMITH: THANK YOU, MR. CHAIRMAN. WHILE I GET SET UP
11 HERE. FIRST OF ALL I WOULD LIKE TO THANK THE BOARD AND THE STAFF FOR
12 THEIR COURTESY. JOHN WHITEHILL AND MARY COIL (PHON) WERE VERY COURTEOUS
13 AND HELPFUL. ALSO THE BOARD MEMBERS THEMSELVES AND THEIR ADVISORS
14 BECAUSE I KNOW YOU HAVE TAKEN QUITE A BIT OF TIME TO FULLY CONSIDER THAT
15 AS ONE OF THE SITES IN YOUR BACKYARD.

16 LITERALLY THE TRUCKS THAT GO TO KIEFER GO DOWN WATT AVENUE.
17 AS I ALREADY SAID, WE ARE OPPOSED TO CONCURRENCE IN THE PERMIT. WHY,
18 BECAUSE THIS PERMIT RUNS DIRECTLY IN THE FACE OF EVERY DIRECTION,
19 FEDERAL AND STATE THAT THIS BOARD IS SUPPOSED TO BE ENFORCING. WE ARE
20 TRYING TO GET AWAY FROM SITES THAT WERE PUT THERE BEFORE THE CURRENT
21 ENVIRONMENTAL CONTROLS AND MOVING TO SITES THAT ARE ESSENTIALLY SITED
22 WITH ADEQUATE PROTECTION.

23 THIS SITE IS A PATENTLY DEFECTIVE SITE. GEORGE TALKS ABOUT
24 THE SAND, YOU HAVE SEEN IT ENTIRELY RINGED BY WETLANDS AND IN THE ENTIRE
25 SITE A CREEK GOES NEXT TO IT. THE CONSUMNES RIVER FLOODS UP AGAINST THE
26 SITE OF THE LANDFILL. THIS IS A BAD SITE.

AUDI-X REPORTING

1 BEYOND THAT, THERE'S ALSO THE -- A RAMIFICATION BEYOND
2 THE JURISDICTIONS OF THE COUNTY. AND AGAIN, THAT'S THE ROLE OF THIS
3 BOARD TO CONSIDER. AND IF YOU ARE GOING TO HAVE AN ACTUAL ROLE IN
4 IMPLEMENTING STATEWIDE PLANNING THROUGH THE INTEGRATED WASTE MANAGEMENT
5 PLANS I THINK YOU HAVE TO CONSIDER IF A REGIONAL LANDFILL IS PERMITTED
6 IN ONE COUNTY WITHOUT -- YOU KNOW, WITHOUT THE PLANNING CONFORMANCE THAT
7 YOU GUYS HAVE A CHECK OVER, AND IF IT IMPACTS THE PLANS IN OTHER
8 JURISDICTIONS, ARE YOU GOING TO ALLOW THAT.

9 I MEAN, IN OTHER WORDS, WITHOUT REQUIRING AN ADEQUATE
10 DESCRIPTION -- AND BY ADEQUATE, MEANING THOROUGH ENOUGH TO MAKE
11 DECISIONS AND HAVE PUBLIC INPUT ABOUT, AND FOR YOU TO REVIEW THESE KIND
12 OF IMPACTS, THE INTEGRATED WASTE MANAGEMENT PLAN IS A WASTE OF
13 EVERYBODY'S TIME. YOU REALLY HAVE VERY LITTLE TO DO AS AN INTEGRATED
14 WASTE MANAGEMENT PLANNING ENTITY HERE.

15 AND SO -- AND THIS LANDFILL IS A GOOD EXAMPLE OF WHAT
16 GOES WRONG IF YOU'RE NOT GOING TO REQUIRE THAT. AND YOU HAVE TO START -
17 - IF YOU'RE GOING TO START, YOU HAVE TO START SOMETIME. THE FACTORS
18 INVOLVED WITH THIS LANDFILL, THE THREATS OF -- THE CONTAMINATION
19 ONGOING, THE FUTURE THREATS, THE WASTE STREAM ISSUES AND SO FORTH MAKE
20 IT, I THINK, AN EXCELLENT EXAMPLE, AN EXCELLENT TIME TO START
21 IMPLEMENTING A POLICY WHERE YOU REQUIRE THAT CONFORMANCE.

22 CHAIRMAN EATON: COULD YOU TRY AND --

23 MR. SMITH: WRAP IT UP?

24 CHAIRMAN EATON: YES. BECAUSE WE DO HAVE A QUITE LONG

25 ~~AGENDA TODAY~~

26 MR. SMITH: SURE.

AUDI-X REPORTING

1 CHAIRMAN EATON: -- AND THERE'S MANY PEOPLE WHO HAVE
2 TRAVELED FROM DIFFERENT JURISDICTIONS --

3 MR. SMITH: I COULD. I WAS HOPING TO DO IT WITH SNAPPY
4 GRAPHICS --

5 (THE PARTIES SIMULTANEOUSLY SPEAK.)

6 CHAIRMAN EATON: WELL, SNAPPY WORDS WOULD SUFFICE. YOU
7 KNOW? AND I KNOW A PICTURE'S WORTH A THOUSAND WORDS, BUT I'M NOT REALLY
8 SURE THAT THAT'S APPROPRIATE EITHER, SO.

9 MR. SMITH: OKAY. SO, I HAD A POINT THERE. OH, I KNOW WHAT
10 IT WAS. AMONG THE OTHER -- I'LL GIVE YOU SOME OTHER EXAMPLES. THERE
11 ARE OTHER OBJECTIONS THAT WE'VE RAISED WITH THE CONFORMITY OF THIS
12 PERMIT, WITH THE EIR AND WITH THE SITING ELEMENT.

13 BUT, IN FACT, THE AMENDMENT TO THE SITING ELEMENT
14 INCLUDES SOME REAL KEY REQUIREMENTS FOR A SITING THAT WERE NOT
15 CONSIDERED FOR THIS LANDFILL, AND ARE VERY APPROPRIATE TO THIS SITE AND
16 I'D LIKE TO SHOW YOU THOSE.

17 I DON'T KNOW IF YOU CAN READ IT, BUT THIS IS THE LAST
18 ADDENDUM TO THE COUNTY INTEGRATED WASTE MANAGEMENT PLAN. IT SAYS THAT A
19 LANDFILL WON'T BE APPROVED IF IT IMPACTS AGRICULTURAL LANDS.

20 IT WON'T BE SITED (PHON) IF IT RESULTS IN A LOSS OF
21 NATURAL UPLAND HABITAT. NOW, UPLAND HABITAT'S IMPORTANT. THAT'S --
22 UPLAND FROM THE WETLANDS THAT YOU SAW THERE IS THE SLOPE OF THE
23 LANDFILL, OBVIOUSLY. LOSS OF NATIVE TREES, OR IN THIS CASE WE'VE GOT
24 GRASSES THAT THE FISH AND WILDLIFE SERVICE IS VERY CONCERNED ABOUT.

25 ~~AND, BY THE WAY, HAS~~ AND FOR THAT REASON AND OTHERS HAS TOTALLY
26 REJECTED THE MITIGATION PLAN THAT'S BEEN SUBMITTED BY THE COUNTY, AND IS

AUDI-X REPORTING

1 REQUIRING A LOT OF CHANGES.

2 AND VISUAL QUALITY. OBVIOUSLY THIS IS A MASSIVE
3 LANDFILL, AND THE VISUAL QUALITY -- IF YOU'VE BEEN -- IF YOU DROVE IN
4 THROUGH THIS SLOUGH HOUSE AREA THERE'LL BE A TREMENDOUS AESTHETIC
5 IMPACT.

6 CULTURAL RESOURCES. THIS SLOUGH HOUSE AREA WAS ONE OF
7 THE OLDEST NATIVE AND EUROPEAN SETTLEMENTS IN THE STATE OF CALIFORNIA.
8 IT HAS -- AND THE FARMING THERE IS HERITAGE FARMING THAT'S BEEN PASSED
9 DOWN THROUGH GENERATIONS FROM SOME OF THE ORIGINAL SETTLERS WHO BEAT THE
10 DONNER PARTY OVER HERE AND WENT BACK TO HELP SOME OF THEM. THE SAME
11 FAMILIES CONTINUE TO FARM THERE, ALTHOUGH THE COUNTY IS TALKING ABOUT
12 BUYING THEM OUT BECAUSE OF THE CONTAMINATION "BUFFER" NEEDS THAT THEY
13 HAVE.

14 I'M GOING TO SUBMIT THIS ADDENDUM. I DON'T KNOW IF
15 YOU HAVE IT FOR SURE, BUT I'D LIKE TO DO IT BECAUSE IT --

16 CHAIRMAN EATON: NO, THAT WOULD BE HELPFUL TO PUT IT IN AS
17 PART OF THE RECORD.

18 MR. SMITH: IT OBVIOUSLY CONFLICTS WITH THAT.

19 AND THEN THE FINAL -- THE POINT OF IT IS THAT THE
20 LOCAL TASK FORCE UNDER YOUR ACT, THE SOLID WASTE ADVISORY COMMITTEE IN
21 THIS COUNTY, IS REQUIRED TO REVIEW A SITING IF IT -- TO MAKE SURE THAT
22 IT DOESN'T CONFLICT WITH THESE CRITERIA THEY ADOPT IN A PLAN. THAT
23 NEVER OCCURRED WITH KIEFER LANDFILL.

24 AND I GUESS IF WE HAVE TO CALL THIS EXPANSION NOT A
25 LANDFILL, OR, YOU KNOW, ITS LOCATION DOESN'T MATTER OR SOMETHING LIKE
26 THAT, YOU COULD DO THAT, BUT IT REALLY DEFEATS THE WHOLE PURPOSE OF

AUDI-X REPORTING

1 THESE PLANNING REQUIREMENTS. IF KIEFER'S NOT A NEW LANDFILL, IF IT
2 DOESN'T REQUIRE THIS KIND OF REVIEW, THEN WHAT THE HECK DOES? AND I
3 THINK IT'S YOUR ROLE TO REQUIRE THAT.

4 WE WANT TO URGE THAT YOU SEND THIS BACK TO THE LEA
5 WITH DIRECTIONS THAT IT BE PLACED IN CONFORMANCE WITH THE INTEGRATED
6 WASTE MANAGEMENT PLAN.

7 THAT ANOTHER STEP THAT NEEDS TO BE TAKEN IS THAT THE
8 FIGURES FOR FINANCIAL ASSURANCE OF REASONABLY FORESEEABLE RELEASES BE
9 FINALIZED BY THE WATER BOARD BEFORE YOU SIGN OFF ON THE FINANCIAL
10 ASSURANCE MECHANISMS.

11 THAT ALSO YOU REQUIRE, BEFORE APPROVING THIS PERMIT,
12 THAT THE FISH AND WILDLIFE PERMITS FOR THE TAKE (PHON) BE APPROVED. AND
13 THOSE KIND OF THINGS CAN BE DONE WHEN IT'S SENT BACK TO THE LEA, AND
14 WE'RE RECOMMENDING THAT WE DO THAT.

15 CHAIRMAN EATON: THANK YOU VERY MUCH, MR. SMITH.

16 MEMBER JONES: MR. CHAIRMAN, I'VE GOT A FEW.

17 CHAIRMAN EATON: MR. JONES.

18 MEMBER JONES: THERE WAS A STATEMENT THAT YOU MADE, MR.
19 SMITH, THAT THE HIERARCHY THAT GOVERNS HOW WE ACT TALKS ABOUT REUSE AND
20 RECYCLING, AND THAT LANDFILLS ARE BAD. THAT IS NOT THE HIERARCHY OF THE
21 STATE, AS FAR AS THE STATE POLICY.

22 WE ARE HERE TO MAKE SURE THAT THERE IS SAFE DISPOSAL,
23 IT IS PART OF THE HIERARCHY. AND THAT SAFE DISPOSAL FALLS UNDER TITLE
24 27 STANDARDS, WHICH ARE -- AND 14 ADN 15 -- I MEAN, WE'VE HAD THEM ALL,
25 AND WE'VE GONE ALONG THE LINES TO CONTINUALLY IMPROVE. THIS LANDFILL IS
26 GOING TO BE BUILT TO THOSE STANDARDS, TO ENSURE PUBLIC HEALTH AND

AUDI-X REPORTING

1 SAFETY, AND ENVIRONMENTAL --

2 MR. SMITH: -- A TERRIBLE SITE.

3 MEMBER JONES: AND ENVIRONMENTAL QUALITY, YOU KNOW, THE
4 ENVIRONMENTAL QUALITY AT THAT SITE.

5 THE OTHER THING THAT YOU SAID IS THAT ON THE -- ON THE
6 IDEA THAT THERE ISN'T ENOUGH CLOSURE/POST-CLOSURE FUNDING FOR THE
7 POTENTIAL RELEASE OF POLLUTANTS, AND YOU SAY THAT EPA IS GOING TO
8 REQUIRE A SLURRY WALL OR --

9 MR. SMITH: NO, NO, NO, NO.

10 MEMBER JONES: -- MAYBE YOU'RE CALLING THAT WALL --

11 (THE PARTIES SIMULTANEOUSLY SPEAK.)

12 MR. SMITH: -- CUT-OFF WALL.

13 MEMBER JONES: -- PREMISES THAT IT'S A \$50 MILLION FIX.

14 MR. SMITH: YES.

15 MEMBER JONES: THAT'S ONE ALTERNATIVE OF MANY, INCLUDING THE
16 ONE THAT THEY'RE USING RIGHT NOW, WHICH PUMPS THE WATER OUT, TREATS IT,
17 AND THEN SENDS IT OFF. CORRECT?

18 MR. SMITH: IT'S ONE ALTERNATIVE?

19 MEMBER JONES: YEAH.

20 MR. SMITH: YES. YES, IT IS.

21 MEMBER JONES: OKAY.

22 MR. SMITH: IT IS. THERE'S -- ASIDE FROM THAT, THOUGH -- I
23 MEAN, WE CAN QUIBBLE OVER WHICH IS THE BEST WAY TO DO THINGS.

24 OBVIOUSLY, FIRST OF ALL, WE'D WANT THE BEST ONE IN THERE.

25 BUT ASIDE FROM THAT, THE FINAL FIGURES I MEAN, IT'S
26 EXPLICIT. THE WATER BOARD DOESN'T KNOW, AND THE PROPONENT HAS NOT

AUDI-X REPORTING

1 CONCLUDED, HOW MUCH WILL ACTUALLY BE NEEDED TO TAKE CARE OF THAT PROBLEM
2 OUT THERE.

3 MEMBER JONES: UNDERSTOOD. BUT I THINK THAT TO MAKE THE
4 ASSUMPTION IT'S GOING TO BE A \$50 MILLION FIX, THAT'S A WHOLE -- I JUST
5 WANTED MY OTHER BOARD MEMBERS TO UNDERSTAND THAT -- AND I KNOW THEY DO
6 UNDERSTAND, BUT JUST TO MAKE THEM AWARE FOR THE RECORD, THAT THAT IS
7 ONLY ONE OPTION, AND IT MIGHT BE THE OPTION THAT YOU PICKED --

8 MR. SMITH: NO, IT'S NOT EVEN --

9 MEMBER JONES: -- NOT NECESSARILY THE OPTION THAT A
10 REGULATORY AGENCY WOULD PICK.

11 MR. SMITH: RIGHT.

12 MEMBER JONES: AND I THINK THAT OUR PLANNING DOCUMENTS -- AS
13 I UNDERSTAND YOUR ARGUMENT, AND I MAY BE WRONG, WHEN YOU DID THE SITING
14 ELEMENT AND ALL OF THOSE PLANNING DOCUMENTS IT INCLUDED THE WASTE OF
15 SACRAMENTO, THE CITY OF SACRAMENTO. CORRECT?

16 MR. SMITH: THE INTEGRATED WASTE MANAGEMENT PLAN?

17 MEMBER JONES: YEAH. YEAH.

18 MR. SMITH: YES.

19 MEMBER JONES: OKAY. SO IF SOME OF THAT LEAVES THE IMPACT
20 IS EXACTLY WHAT?

21 MR. SMITH: NO, NO. NO, NO --

22 MEMBER JONES: I MEAN, BECAUSE THAT DOCUMENT IS --

23 (THE PARTIES SIMULTANEOUSLY SPEAK.)

24 MR. SMITH: IN FACT THAT'S NOT ACCURATE --

25 MEMBER JONES: TO DETERMINE

26 MR. SMITH: IN FACT, THAT'S NOT ACCURATE. THE INTEGRATED

AUDI-X REPORTING

1 WASTE MANAGEMENT PLAN DOES NOT CONTAIN A DESCRIPTION OF THE WASTE THAT
2 WILL BE GOING THERE. THERE'S A DESCRIPTION OF THE WASTE GENERATED BY
3 THE JURISDICTIONS IN THE COUNTY, AND THERE'S -- AND THAT'S IT. THERE'S
4 A FIGURE FOR THE WASTE THAT'S GENERATED IN THE COUNTY, THERE'S A
5 DESCRIPTION OF AN EXPANSION IN TERMS OF ACREAGE AND SO FORTH WITH NO
6 DISCUSSION OF WHAT TONNAGES AND WHERE THEY'LL COME FROM.

7 MEMBER JONES: OKAY. BECAUSE IF YOU LOOK AT -- AND WHEN WE
8 GOT BRIEFED I THINK I BROUGHT IT UP TO YOU -- THE FACT THAT SACRAMENTO
9 CITY MAY BE, YOU KNOW, LEAVING IS GERMANE. BUT THERE ARE PARTS OF THE
10 UNITED STATES WHERE LANDFILL RATES WENT UP OVER 200% IN CERTAIN AREAS,
11 144% FOR A WHOLE REGION. THAT MAY CHANGE THE ECONOMICS ENOUGH, IF THAT
12 WERE TO HAPPEN WHEREVER THIS DESTINATION WAS --

13 MR. SMITH: WELL, MR. JONES, THAT ARGUMENT IS --
14 (THE PARTIES SIMULTANEOUSLY SPEAK.)

15 MEMBER JONES: -- COME BACK.

16 MR. SMITH: -- SIMILAR TO ME TO THE YOU CAN NEVER HAVE
17 ENOUGH INSURANCE ONE THAT YOU'LL GIVE --

18 MEMBER JONES: ALL I'M TRYING TO TELL YOU IS, YOU BROUGHT UP
19 THE ARGUMENT ON ONE SIDE, AND THERE ARE ARGUMENTS ON BOTH SIDES --

20 MR. SMITH: WELL, IT GOES BACK TO A FUNDAMENTAL DIFFERENCE,
21 PERHAPS, THAT THE MORE LANDFILL THE BETTER, AND THAT THE STATE'S POLICY
22 IS TO MAKE MORE OF IT AS A PUBLIC INTEREST.

23 I THINK WE DO DISAGREE THAT, IN THE INTEREST OF THE
24 RESIDENTS, THE LESS LANDFILL WE HAVE TO BUILD THE BETTER. AND THAT'S --
25 I MEAN, WE MIGHT DIFFER ON THAT POLICY, BUT I THINK IF YOU'D ASK MORE
26 PEOPLE THEY'D AGREE. SO.

AUDI-X REPORTING

1 MR. SMITH: ANY OTHER QUESTIONS?

2 CHAIRMAN EATON: ANYTHING ELSE? OKAY.

3 MR. SMITH: THANK YOU.

4 CHAIRMAN EATON: I HAVE ONE LAST SPEAKER SLIP, MR. RICH
5 OWINGS FROM THE SACRAMENTO COUNTY WHO DESIRES TO STILL SPEAK. THEN
6 WE'LL WRAP IT UP.

7 MR. OWINGS: MR. CHAIRMAN AND MEMBERS OF THE BOARD, MY NAME
8 IS RICH OWINGS, I'M THE WASTE MANAGEMENT AND RECYCLING DIVISION CHIEF
9 FOR SACRAMENTO COUNTY, AND I WANTED TO QUICKLY RESPOND TO MEMBER
10 ROBERTI'S QUESTION ABOUT THE CITY OF SACRAMENTO AND THE TONNAGE.

11 THE CONTRACTUAL REQUIREMENT TO SEND TONNAGE THE CITY
12 IS CONSIDERING IS ONLY THE RESIDENTIAL TONNAGE, IT'S ONLY THE TONNAGE
13 THAT THE CITY COLLECTS WITH THEIR OWN MUNICIPAL TRUCKS. SO THAT AMOUNTS
14 TO ABOUT 150,000 TONS A YEAR THAT THEY BRING US IN THE CITY TRUCKS, AND
15 THAT'S LESS THAN 15%.

16 IF YOU'RE LOOKING AT PROPORTION TO POPULATION, YOU'RE
17 RIGHT, IT'S MORE LIKE A 30% POPULATION IN THE COUNTY, BUT THE CONTRACT
18 FOR OUT-OF-COUNTY HAULING IS ONLY FOR THE RESIDENTIAL. AND HOPEFULLY
19 THAT HELPS --

20 MEMBER ROBERTI: WELL, WHAT DOES THE CITY DO RIGHT NOW WITH
21 ITS COMMERCIAL?

22 MR. OWINGS: THE COMMERCIAL IS A FREE MARKET, PRICE
23 DETERMINES WHERE IT WILL GO. SO SOME MAY OR MAY NOT GO WITH THE -- OR
24 THE CITY'S CONTRACTUAL REQUIRED TONNAGE, IT WILL BE A FREE MARKET
25 SITUATION.

26 MEMBER ROBERTI: BUT -- OKAY, SO IT WILL BE A FREE MARKET

AUDI-X REPORTING

1 SITUATION. BUT THE COMMERCIAL -- THE CITY RIGHT NOW HAS -- WELL, I
2 GUESS HAS THE RIGHT, BECAUSE THEY CONTRACT WITH THE COUNTY (INAUDIBLE;
3 OFF-MIKE) IN KIEFER?

4 MR. OWINGS: WELL, RIGHT NOW --

5 MEMBER ROBERTI: I UNDERSTAND THAT THEY DON'T DO IT.

6 MR. OWINGS: RIGHT, THEY -- THE CITY COULD FRANCHISE OR BID
7 OUT THE COMMERCIAL COLLECTION INSIDE THE CITY.

8 MEMBER ROBERTI: DOES ANY OF THE CITY'S COMMERCIAL GO INTO
9 KIEFER RIGHT NOW?

10 MR. OWINGS: ALL OF IT.

11 MEMBER ROBERTI: ALL OF IT DOES?

12 MR. OWINGS: YES, SIR.

13 MEMBER ROBERTI: AND UNDER THE NEW ARRANGEMENT WITH THE
14 INDEPENDENTS, DEALING WITH THE COMMERCIAL, WILL ANY OF THAT COMMERCIAL -
15 - WILL THAT COMMERCIAL STILL BE GOING IN --

16 MR. OWINGS: IT WILL DEPEND ON THE MARKET, IT'S A FREE
17 COMMODITY, SO IT WOULD DEPEND ON PRICE. WHATEVER THE PRIVATE OPERATOR
18 AT THE CITY'S PRIVATE TRANSFER STATION CHARGES VERSUS WHAT THE KIEFER
19 LANDFILL TIPPING FEE IS AND THE HAULING COSTS.

20 MEMBER ROBERTI: IS KIEFER PROJECTING THAT ALL OF IT IS
21 GOING TO STILL -- IS THE COUNTY PROJECTING THAT ALL OF THE COMMERCIAL
22 (INAUDIBLE; OFF-MIKE) STILL GOING TO BE GOING TO KIEFER?

23 MR. OWINGS: WORST CASE SITUATION?

24 MEMBER ROBERTI: NO, ON THE DATE THAT YOU ARE GIVING --

25 MR. OWINGS: WE REALLY DON'T KNOW

26 (THE PARTIES SIMULTANEOUSLY SPEAK.)

AUDI-X REPORTING

1 MEMBER ROBERTI: -- DATES YOU'RE GIVING US RIGHT NOW, IS
2 THAT BASED ON A PROJECTION THAT ALL THE COMMERCIAL IS GOING TO KIEFER,
3 OR A PART OF IT, OR NONE OF IT?

4 MR. OWINGS: I BELIEVE THE NUMBERS THAT ARE IN THE
5 PROJECTIONS ARE ASSUMING THAT IT WILL ALL --

6 MEMBER ROBERTI: YES. I MEAN, THAT CONCERNS ME STILL A
7 LITTLE BIT, BECAUSE THE CITY OBVIOUSLY IS MOVING ITS RESIDENTIAL OUT OF
8 KIEFER. AND, YOU KNOW, GIVEN A SWITCH IN THE PRICES, IT MAY BE REMOVING
9 ITS COMMERCIAL AS WELL. I MEAN, THEY MAY HAVE A BETTER DEAL GOING
10 SOMEWHERE.

11 AND YOU'RE PROJECTING -- YOU'RE PROJECTING WHAT
12 APPEARS TO BE FULL COMMERCIAL AND FULL RESIDENTIAL AT THE KIEFER
13 LANDFILL.

14 MY OWN FEELINGS ARE LANDFILLS ARE NECESSARY, NO
15 QUESTION ABOUT IT. I MEAN, I WOULDN'T WANT ONE NEXT TO MY HOUSE, BUT
16 IT'S NECESSARY. BUT WE HAVE TO BE VERY GINGERLY (SIC) ON HOW WE LOCATE
17 THESE THINGS. I MEAN, THEY ARE IN LOVELY NEIGHBORHOODS SOMETIMES. THEY
18 ARE A CAUSE OF GREAT, ENORMOUS CONCERN FOR NEIGHBORHOODS. I MEAN,
19 THEY'RE NECESSARY EVILS. BUT, WE HAVE TO LOOK AT THE EVIL PART, TOO, AT
20 LEAST AS FAR AS THE PEOPLE WHO ARE IMPACTED.

21 AND I JUST THINK YOU'RE GIVING US A MAXIMUM POSITION,
22 BEST-CASE SCENARIO FOR THE COUNTY WITHOUT SOME RECOGNITION OF THE IMPACT
23 THIS HAS ON PEOPLE WHO ARE GOING TO BE ADVERSELY AFFECTED.

24 AND I GUESS YOU HAVE AN IDEA HOW I'M GOING TO CAST MY
25 ONE VOTE AT LEAST BECAUSE OF THAT.

26 THE CITY HAS MOVED OUT OF ITS RESIDENTIAL AND GIVEN

AUDI-X REPORTING

1 THE EBB AND FLOW OF PRICE MAY MOVE OUT ITS COMMERCIAL AS WELL. AND
2 YOU'RE BASING YOUR STATS THAT YOU'RE GIVING US, AND WE'VE HAD TO FIND
3 THIS OUT SORT OF LIKE PULLING TEETH BASED ON A MAXIMUM CITY
4 PARTICIPATION, YOU KNOW, GET AS MUCH GOOD. THAT'S WHAT MY ATTITUDE IS.

5 BUT THIS IS A DUMP WHICH IS LOCATED IN SOMEBODY'S
6 NEIGHBORHOOD IN A VERY NICE PART OF SACRAMENTO.

7 I WENT THERE AND I COMMEND THE COUNTY FOR ALL THE
8 AMELIORATION THAT ITS DONE AND THEY ARE STILL ASKING FOR MORE THAN THEY
9 NEED. THAT'S MY FEELING.

10 MR. OWINGS: ONE LAST POINT. WE AGREE WITH YOU, THAT WE
11 THINK THE MARKET WILL DETERMINE THE LENGTH OF THE KIEFER LANDFILL, IN
12 TERMS OF, YOU KNOW, HOW MANY YEARS IN THE FUTURE MUCH MORE THAN ANY
13 SOLID WASTE PLAN WILL.

14 AND OUR BOARD HAS BEEN VERY CLEAR ABOUT THAT. WE HAVE
15 TO REPORT BACK IN 18 MONTHS, HAS THE MARKETPLACE CHANGED, DOES IT STILL
16 MAKE ANY SENSE TO KEEP THE KIEFER LANDFILL OPEN. AND THEN, AT A
17 MINIMUM, EVERY FIVE YEARS WE HAVE TO REPORT BACK.

18 SO, JUST BECAUSE THERE'S 660 ACRES APPROVED AND WE
19 TELL THE WORLD THIS COULD HAPPEN -- I THINK THAT'S THE FAIR THING TO DO
20 ALSO -- DOESN'T MEAN THAT ALL 35 YEARS OF CAPACITY WOULD BE USED.

21 THANK YOU, SIR.

22 CHAIRMAN EATON: ALL RIGHTY. ANY OTHER COMMENTS, QUESTIONS?
23 ALL RIGHTY.

24 MEMBER PENNINGTON: MR. CHAIRMAN?

25 CHAIRMAN EATON: MR. PENNINGTON.

26 MEMBER PENNINGTON: I DO HAVE A COMMENT.

AUDI-X REPORTING

1 CHAIRMAN EATON: SURE.

2 MEMBER PENNINGTON: I KNOW IT DOESN'T NECESSARILY BEAR ON
3 THE PERMIT ITSELF, BUT I DO HAVE TO COMMENT THAT I THINK THEY DON'T DO A
4 VERY GOOD LITTER CONTROL JOB. THAT YOU GO OUT GRANT LINE ROAD, AND
5 LITTER IS JUST STREWN UP AND DOWN THAT ROAD.

6 AND I KNOW THEY SAY, WELL, MOST OF IT COMES OFF THE
7 SELF-HAUL THAT RUN DOWN THE ROAD, OR OFF OF THE OPEN TRUCKS. BUT OTHER
8 JURISDICTIONS HAVE THE SAME PROBLEM, THEY HAVE SELF-HAUL, THEY HAVE ALL
9 THE SAME THINGS, AND YOU CAN DRIVE DOWN TO THE ENTRANCE TO A LOT OF
10 LANDFILLS AND YOU DON'T ENCOUNTER THE KIND OF LITTER THAT YOU DO MOST OF
11 THE TIME AT KIEFER.

12 AND I WOULD ENCOURAGE THEM TO MAKE A SERIOUS EFFORT AT
13 TRYING TO GET A HANDLE ON THE PROBLEM. THAT THERE'S A LOT OF IT ON
14 JACKSON ROAD, BUT I TRAVEL GRANT LINE MOSTLY, AND FOR LITERALLY MILES
15 BEFORE YOU GET TO IT YOU ENCOUNTER A LOT OF LITTER.

16 AND I THINK IF THEY NEED MORE HELP ENFORCING IT THEN
17 YOU SHOULD GET THE SHERIFF OUT THERE, AND GET THE HIGHWAY PATROL OUT
18 THERE. THEY SHOULD HAVE THE 502 CLEANING THAT STUFF UP EVERY DAY. IT'S
19 AN EMBARRASSMENT, AND SO I'VE GOT TO RAISE IT.

20 CHAIRMAN EATON: THANK YOU. ALL RIGHTY. NEW ISSUES?

21 MEMBER JONES: MR. CHAIRMAN?

22 CHAIRMAN EATON: UM-HUM?

23 MEMBER JONES: FIRST-OFF, I AGREE WITH MR. PENNINGTON ON THE
24 LITTER. I DON'T THINK I'D LET ANY OF MINE GO LIKE THAT.

25 I MOVE ADOPTION OF RESOLUTION 1999-162.

26 CHAIRMAN EATON: ALL RIGHT. DO YOU HAVE A SECOND?

AUDI-X REPORTING

1 MEMBER PENNINGTON: I'LL SECOND IT.

2 CHAIRMAN EATON: MR. JONES MOVES, AND MR. PENNINGTON
3 SECONDS, THAT WE ADOPT RESOLUTION 1999-162.

4 MADAM SECRETARY, WOULD YOU PLEASE CALL THE ROLL?

5 THE SECRETARY: BOARD MEMBERS JONES?

6 MEMBER JONES: AYE.

7 THE SECRETARY: PENNINGTON?

8 MEMBER PENNINGTON: AYE.

9 THE SECRETARY: ROBERTI?

10 MEMBER ROBERTI: NO.

11 THE SECRETARY: CHAIRMAN EATON?

12 CHAIRMAN EATON: AYE.

13 MADAM COUNSEL, COULD YOU PLEASE EXPLAIN FOR THE PUBLIC
14 RECORD THE OUTCOME OF THE VOTE AT THREE-TO-ONE, JUST FOR PURPOSES OF THE
15 TRANSCRIPT AND THE RECORD?

16 MS. TOBIAS: STATUTE OF THE PUBLIC RESOURCES CODE REQUIRES
17 THAT YOU HAVE FOUR AFFIRMATIVE VOTES FOR THE BOARD TO TAKE ANY ACTION.
18 SO, WITH A THREE-TO-ONE VOTE THAT MEANS THAT THE PERMIT WILL BE APPROVED
19 BY DEFAULT, AND WILL BE APPROVED IN 60 DAYS.

20 CHAIRMAN EATON: THANK YOU.

21 ALL RIGHTY. ITEM NO. C IS THE -- IN THE CONTINUING
22 BUSINESS, IS THE PUBLIC -- I'M SORRY, THE -- YEAH, WE'RE GOING TO --
23 JUST FOR PURPOSES OF CALENDAR MANAGEMENT, WE'RE GOING TO GO THROUGH THE
24 LAST ITEM ON THE CONTINUING BUSINESS, TAKE A SHORT BREAK, AND THEN COME
25 ~~BACK AND WORK FOR A WHILE AND THEN TAKE A SHORT LUNCH HOUR.~~ WE'VE GOT A
26 LONG AGENDA, I KNOW THERE ARE A LOT OF PEOPLE WHO HAVE COME HERE FROM

AUDI-X REPORTING

1 MANY PLACES, AND WE WANT TO MAKE SURE WE CAN TAKE CARE OF THAT.

2 ITEM C ON THE CONTINUING BUSINESS AGENDA IS A PUBLIC
3 HEARING FOR THE REVOCATION OF A MINOR WASTE TIRE PERMIT. THAT'S BEEN
4 PUBLICLY NOTICED FOR 2:00 P.M., SO WE'LL SKIP OVER THAT RIGHT NOW.

5 AGENDA ITEM D: CONSIDERATION OF APPROVAL OF RECYCLING MARKET
6 DEVELOPMENT REVOLVING LOAN PROGRAM APPLICATION FOR RANCHO DOS AMIGOS,
7 LLC

8 CHAIRMAN EATON: AND GO TO CONTINUING BUSINESS LETTER "D,"
9 CONSIDERING THE APPROVAL OF A RECYCLING MARKET DEVELOPMENT REVOLVING
10 LOAN INVOLVING RANCHO DOS AMIGOS, WHICH WAS PULLED FROM LAST WEEK'S
11 CONSIDERATION AND PUT BACK ON THE PACKET FOR THIS WEEK. MS. TRGOVCICH.

12 MS. TRGOVCICH: GOOD MORNING, CHAIRMAN EATON AND MEMBERS.
13 I'M CAREN TRGOVCICH, DEPUTY DIRECTOR OF THE WASTE PREVENTION AND MARKET
14 DEVELOPMENT DIVISION.

15 AS YOU NOTED, THIS LOAN WAS ORIGINALLY PULLED FROM
16 LAST WEEK'S AGENDA AND CONTINUED TO TODAY IN ORDER THAT WE COULD DEVELOP
17 THE ADDITIONAL INFORMATION REGARDING THE DIVERSION THAT WOULD OCCUR AS A
18 RESULT OF THE ENHANCED CASH FLOW TO THE BORROWER AS A RESULT OF THIS
19 LOAN.

20 DON TSUKIMURA WILL BE MAKING THE PRESENTATION. BILL
21 IRWIN, PRINCIPAL FOR THE BUSINESS, IS HERE AS WELL, AND WILL BE
22 PROVIDING SOME BRIEF COMMENTS TO THE BOARD.

23 I WOULD LIKE TO NOTE FOR THE RECORD THAT WE'VE
24 RECEIVED TWO LETTERS OF SUPPORT FOR THIS LOAN, ONE FROM RUBBISH CONTROL,
25 INC., AND THE OTHER IS FROM THE CITY OF OXNARD.

26 WHILE DON IS MAKING HIS PRESENTATION I WILL BE HANDING

AUDI-X REPORTING

1 OUT TO YOU A BRIEF MEMO SUMMARIZING THE KEY PROVISIONS OF THIS LOAN.

2 MR. TSUKIMURA: GOOD MORNING, MR. CHAIRMAN AND BOARD
3 MEMBERS. STAFF IS PLEASED TO INTRODUCE FOR YOUR CONSIDERATION RANCHO
4 DOS AMIGOS, LLC, WHICH IS LOCATED IN THE VENTURA COUNTY RMDZ.

5 THE LOAN AMOUNT REQUESTED IS 682,000, AND THE PURPOSE
6 IS TO PURCHASE EQUIPMENT AND MACHINERY FOR GREEN WASTE PROCESSING
7 FACILITIES, AND REFINANCE EXISTING AND OF EQUIPMENT AND MACHINERY.

8 A LITTLE BIT OF A BACKGROUND FIRST. THE RANCHO DOS
9 AMIGOS, LLC, IS OWNED AND MANAGED BY NELSON SOMERS, SR., AND BILL IRWIN,
10 AND IT WAS CREATED IN EARLY 1998 FOR THE PURPOSE OF OPERATING TWO GREEN
11 WASTE PROCESSING FACILITIES.

12 ONE IS CALLED RIVER HAWK RANCH AND IS LOCATED IN
13 FILLMORE, CALIFORNIA. IT'S PRIMARY FUNCTION IS TO TAKE GREEN WASTE FROM
14 THE SURROUNDING AREAS INCLUDING THE RANCH ITSELF, AND PRODUCE MULCH FOR
15 ITS OWN AGRICULTURAL USE. THE OTHER FACILITY IS CALLED OJAI VALLEY
16 ORGANICS, AND IS LOCATED IN OJAI, CALIFORNIA, ON LAND OWNED BY THE
17 COUNTY OF VENTURA.

18 BOTH FACILITIES ARE NOW OPERATIONAL AND TAKE GREEN
19 WASTE FROM VARIOUS AREAS OF VENTURA COUNTY AND DIVERT IT FROM LOCAL
20 LANDFILLS.

21 THE ELIGIBILITY FOR THIS PROJECT, UNDER THE CRITERIA
22 OF RECYCLING, IN THIS CASE THE MULCHING AND GRINDING OF A RECOVERED
23 MATERIAL CONSISTING OF GREEN WASTE AND WOOD DEBRIS.

24 THE FEEDSTOCK SOURCE FOR THE RIVER HAWK RANCH FACILITY
25 CONSISTS OF CONTRACTS WITH VARIOUS PUBLIC AND PRIVATE ENTITIES WHICH
26 SERVE THE CITY OF OXNARD AND PARTS OF VENTURA COUNTY.

AUDI-X REPORTING

1 THE MATERIAL IS COLLECTED THROUGH CURBSIDE GREEN WASTE
2 PROGRAMS AND COMMERCIAL GREEN WASTE COLLECTION PROGRAMS. LOCAL
3 LANDSCAPE MAINTENANCE AND TREE MAINTENANCE FIRMS ALSO BRING IN GREEN
4 WASTE. THE OJAI VALLEY ORGANICS FACILITY RECEIVES MATERIAL WHICH IS
5 COLLECTED FROM RESIDENTIAL AND COMMERCIAL SITES IN THE SURROUNDING AND
6 UNINCORPORATED AREAS OF VENTURA COUNTY. THERE IS ALSO A HIGH VOLUME
7 SELF-HAUL CUSTOMERS.

8 AND CURRENTLY THE COMBINED DIVERSION RATE FOR BOTH
9 FACILITIES IS PROJECTED AT 12,900 TONS PER YEAR. AND WITH THE APPROVAL
10 OF THE RMDZ LOAN THE APPLICANT WILL BE ABLE TO TAKE ON A NEW CONTRACT
11 WITH BLT ENTERPRISES OF OXNARD, WHICH WILL PROVIDE AN ADDITIONAL 32,000
12 TONS PER YEAR, BRINGING THE TOTAL PROJECTED DIVERSION TO 44,900 TONS.

13 THE PRODUCT IS A HIGH-QUALITY ORGANIC MULCH FOR USE IN
14 AGRICULTURAL LANDSCAPING AND HOME APPLICATIONS.

15 AND DUE TO THE ZONING COMPATIBILITY MATRIX OF VENTURA
16 COUNTY, THE APPLICANT CAN ONLY USE THE MULCH PRODUCED AT THE RIVER HAWK
17 RANCH ON THE ORCHARDS BELONGING TO THE BORROWER. THE MULCH PRODUCED AT
18 THE OJAI VALLEY ORGANICS SIDE IS SOLD OFF-SITE TO OTHER AGRICULTURALLY-
19 RELATED BUSINESSES, AND OTHER FARMING OPERATIONS IN THE AREA ALSO
20 PURCHASE LARGE QUANTITIES.

21 IN SUMMARY, WITH THE RMDZ LOAN PROCEEDS RANCHO DOS
22 AMIGOS WILL BE ABLE TO PURCHASE ADDITIONAL EQUIPMENT CONSISTING OF
23 LOADERS, SCREEN (PHON) PLANT, WATER TRUCK, WELDING EQUIPMENT, EQUIPMENT
24 WHICH IS VITAL TO HANDLE THE INCREASED VOLUME OF GREEN WASTE FROM
25 EXISTING CONTRACTS, AND ESPECIALLY DUE TO THE NEW CONTRACT WITH BLT
26 ENTERPRISES.

AUDI-X REPORTING

1 IN APRIL THE LOAN COMMITTEE REVIEWED THE FINANCIAL
2 MERITS OF THE PROJECT AND APPROVED THE APPLICANT'S ABILITY TO REPAY THE
3 LOAN.

4 THE PROJECT MEETS THE BOARD'S ELIGIBILITY CRITERIA AND
5 SHOWS INCREASED DIVERSION, AS WELL AS A DEMONSTRATED ABILITY TO -- OF
6 THE PRINCIPALS TO HELP DEVELOP AND EXPAND THE GREEN WASTE RECYCLING
7 MARKET IN THE VENTURA RMDZ.

8 THEREFORE, STAFF RECOMMENDS THIS LOAN FOR APPROVAL,
9 AND WE'D BE HAPPY TO ANSWER ANY QUESTIONS YOU MAY HAVE.

10 CHAIRMAN EATON: ANY QUESTIONS OF STAFF? OKAY.

11 MEMBER PENNINGTON: MR. CHAIRMAN?

12 CHAIRMAN EATON: YES, MR. PENNINGTON?

13 MEMBER PENNINGTON: I'LL MOVE ADOPTION -- OR --

14 CHAIRMAN EATON: YEAH, I'M LOOKING, TOO, AS WELL.

15 MEMBER PENNINGTON: ADOPTION OF RESOLUTION 999-219, TO
16 APPROVE A LOAN IN THE AMOUNT OF \$682,000 TO RANCHO DOS AMIGOS.

17 CHAIRMAN EATON: ALL RIGHT. SECOND? I'LL SECOND THE
18 MOTION.

19 MR. PENNINGTON MOVES, AND MR. EATON SECONDS, THAT
20 1999-219 BE ADOPTED.

21 MADAM SECRETARY, PLEASE CALL THE ROLL.

22 THE SECRETARY: BOARD MEMBERS JONES?

23 MEMBER JONES: AYE.

24 THE SECRETARY: PENNINGTON?

25 MEMBER PENNINGTON: AYE.

26 THE SECRETARY: ROBERTI?

AUDI-X REPORTING

1 MEMBER ROBERTI: NO.

2 THE SECRETARY: CHAIRMAN EATON?

3 CHAIRMAN EATON: AYE.

4 THE MOTION IS ADOPTED.

5 WE'RE NOW GOING TO TAKE A 10-MINUTE BREAK, AND THEN
6 WE'LL GIVE THE COURT REPORTER A FEW MINUTES, AND THEN WE'LL COME BACK
7 AND TRY AND HIT IT REAL HARD FOR 45 MINUTES TO AN HOUR AND THEN TAKE A
8 LUNCH BREAK, AND COME BACK FOR THE PUBLIC HEARING. AND THEN BE ABLE TO
9 GET OUT OF HERE AT A REASONABLE TIME FOR EVERYONE TO MAKE THEIR PREVIOUS
10 COMMITMENTS. THANK YOU.

11 (OFF THE RECORD; BRIEF RECESS.)

12 CHAIRMAN EATON: BACK IN SESSION.

13 MEMBER PENNINGTON: WHERE'S SENATOR ROBERTI?

14 CHAIRMAN EATON: MR. ROBERTI JUST HAD TO MAKE A CALL, HE'LL
15 BE HERE. AND I -- I SAID TO GO AHEAD.

16 VII. NEW BUSINESS AGENDA ITEMS

17 AGENDA ITEM 1: CONSIDERATION OF STAFF RECOMMENDATION TO CORRECT THE
18 BASE-YEAR DISPOSAL TONNAGE FOR THE PREVIOUSLY APPROVED SOURCE REDUCTION
19 AND RECYCLING ELEMENT FOR THE CITY OF HALF MOON BAY, SAN MATEO COUNTY

20 CHAIRMAN EATON: OKAY. ITEM NO. 1 IN TODAY'S REGULAR
21 AGENDA, CONSIDERATION OF STAFF RECOMMENDATION TO CORRECT THE BASE-YEAR
22 DISPOSAL TONNAGE FOR HALF MOON BAY.

23 OKAY. I JUST REMIND EVERYONE, THERE ARE SPEAKER SLIPS
24 IN THE BACK. IF YOU WILL BRING THEM UP WE'LL GREATLY APPRECIATE IT, IF
25 YOU WOULD CARE TO SPEAK ON ANY ITEM. THANK YOU.

26 MS. FRIEDMAN: GOOD MORNING, CHAIRMAN EATON AND BOARD

1 MEMBERS. BEFORE THE STAFF GIVE THEIR PRESENTATION I JUST HAVE A FEW
2 BRIEF COMMENTS I'D LIKE TO MAKE. FOR THE RECORD, I'M JUDY FRIEDMAN,
3 DEPUTY DIRECTOR OF THE DIVERSION PLANNING AND LOCAL ASSISTANCE DIVISION.

4 ITEMS 1 THROUGH 15 ON TODAY'S AGENDA ARE FOLLOW-UPS TO
5 DIRECTION PROVIDED TO STAFF THIS LAST MARCH WHEN WE PRESENTED AN
6 OVERVIEW OF HISTORY AND THE BOARD'S POLICY ON BASE-YEAR MEASUREMENT
7 ISSUES. AS YOU MAY RECALL, DURING THE ITEM IN MARCH WE REVIEWED SOME OF
8 THE CIRCUMSTANCES WHICH CONTRIBUTED TO JURISDICTIONS' BASE-YEAR
9 MEASUREMENT PROBLEMS, INCLUDING SUCH ISSUES AS UNDER-REPORTING AND
10 LIMITED ACCESS TO DATA.

11 IN THAT ITEM I WENT OVER THE FOUR TYPES OF METHODS TO
12 RESOLVE BASE-YEAR ISSUES. NAMELY, CORRECT EXISTING BASE-YEAR USING
13 HISTORICAL DOCUMENTATION, REPLACE EXISTING BASE-YEAR WITH NEW BASE-YEAR,
14 MEASURE GENERATION ANNUALLY, OR FORMER REGIONAL AGENCY FOR THOSE
15 SITUATIONS THAT DEAL WITH ALLOCATION AND THE BASE-YEAR.

16 I'D LIKE TO MAKE A DISTINCTION BETWEEN AN ITEM TO
17 CORRECT OR REPLACE A JURISDICTION'S BASE-YEAR AND THE BOARD'S BIENNIAL
18 REVIEW PROCESS WHICH THE BOARD HAS BEEN ENGAGED IN RECENTLY.

19 IN THE BIENNIAL REVIEW PROCESS WE ARE LOOKING AT A
20 JURISDICTION'S PROGRESS IN TWO WAYS: BOTH NUMERICALLY, THAT IS THE
21 PERCENT DIVERSION ACHIEVED, AND IN TERMS OF THE DIVERSION PROGRAMS
22 IMPLEMENTED. WHEN WE DON'T HAVE NUMBERS FOR A JURISDICTION WE CANNOT
23 COMPLETE THE BIENNIAL REVIEW PROCESS.

24 THE JURISDICTIONS BEFORE YOU TODAY HAVE NOT HAD A
25 BIENNIAL REVIEW COMPLETED BY THE BOARD BECAUSE OF THE NUMBERS PROBLEMS.
26 SO, IN OTHER WORDS, WE DON'T HAVE BOTH SIDES OF THE EQUATION, NUMBERS

AUDI-X REPORTING

1 PLUS PROGRAMS IMPLEMENTED.

2 PLEASE NOTE APPROVAL OF THE ITEMS TODAY DOES NOT
3 CONSTITUTE OR IMPLY APPROVAL OF THE BIENNIAL REVIEW. WE NEED TO PERFORM
4 THAT REVIEW LOOKING AT BOTH NUMBERS AND PROGRAMS, AND WOULD BE BRINGING
5 THOSE TO YOU AT A LATER DATE.

6 ALL OF THE PERTINENT ITEMS ON TODAY'S AGENDA HAVE MET
7 THE BOARD'S POLICY ON BASE-YEAR ISSUES. ONE ITEM IS NOT A BASE-YEAR
8 CORRECTION. OF THE OTHERS, TWO ITEMS REPLACE THE BASE-YEAR WITH A NEW
9 BASE-YEAR, AND THE REST ARE CORRECTIONS TO THE EXISTING BASE-YEAR.

10 A COUPLE WORDS ON NEXT STEPS. IN MARCH THE BOARD
11 FURTHER DIRECTED STAFF THAT THE REMAINING JURISDICTIONS THAT HAVE NOT
12 AVAILED THEMSELVES OF THE BOARD'S POLICY FOR BASE-YEAR CORRECTIONS WOULD
13 BE NOTICED FOR A PUBLIC HEARING TO PLACE THEM ON A COMPLIANCE ORDER.

14 THIS HEARING IS ANTICIPATED FOR LATE SUMMER, AND THERE
15 ARE UP TO 125 JURISDICTIONS THAT COULD BE HEARD AT THAT TIME. HOWEVER,
16 WE DO ANTICIPATE THAT SOME JURISDICTIONS MAY SUBMIT REQUESTS TO CORRECT
17 OR REPLACE THEIR BASE-YEAR IN THE MEANWHILE. AND, PENDING YOUR
18 DIRECTION, STAFF COULD BRING THOSE FORWARD FOR YOUR CONSIDERATION
19 PROVIDED THEY MET THE POLICY.

20 THIS CONCLUDES MY OVERVIEW. THERE ARE MANY
21 JURISDICTIONS THAT ARE HERE TODAY TO RESPOND AND TO PRESENT THEIR
22 INFORMATION, AND I WOULD ASK THAT THEY WOULD COME FORWARD AS THE ITEMS
23 ARE PRESENTED ONE BY ONE, SO THAT THEY CAN MEET -- RESPOND TO YOUR
24 QUESTIONS.

25 WITH THAT, I'D LIKE TO TURN THE PRESENTATION OVER TO
26 YASMIN SATTER, WITH THE OFFICE OF LOCAL ASSISTANCE, WHO WILL BE MAKING

AUDI-X REPORTING

1 THE PRESENTATION FOR THE FIRST TWO ITEMS.

2 CHAIRMAN EATON: OKAY.

3 MS. SATTER: GOOD MORNING, MR. CHAIRMAN AND BOARD MEMBERS.

4 MY NAME IS YASMIN SATTER WITH THE OFFICE OF LOCAL ASSISTANCE. I AM HERE
5 TO PRESENT ITEM NO. 1 FOR THE CITY OF HALF MOON BAY, SAN MATEO COUNTY,
6 AND TO REQUEST A CORRECT TO THE CITY'S BASE-YEAR DISPOSAL AMOUNT.

7 THE CITY BELIEVES THAT IN ITS ORIGINAL JOINT SOLID
8 WASTE GENERATION STUDY THE SELF-HAUL WASTE DISPOSAL AMOUNT ALLOCATED TO
9 THE CITY WAS UNDERESTIMATED, AND ALSO SLUDGE WAS NOT INCLUDED IN THE
10 BASE-YEAR DISPOSAL TONNAGE.

11 THE METHOD THEY USED TO INCREASE BASE-YEAR DISPOSAL IS
12 THE BOARD-APPROVED METHOD FROM THE LIST OF ACCEPTABLE BASE-YEAR REVISION
13 METHOD F-2A (PHON), PAGE SEVEN OF AGENDA ITEM 32. THIS METHOD ADDRESSES
14 THE PROBLEMS OF SPECIFIC WASTE GENERATORS' DISPOSAL TONNAGE BELIEVED TO
15 HAVE BEEN OMITTED IN SOLID WASTE GENERATION STUDY AND ALLOWS THE
16 JURISDICTION TO ADD IN OMITTED TONS BASED ON RELIABLE INFORMATION.

17 IN THE CITY'S ORIGINAL JOINT SOLID WASTE GENERATION STUDY
18 THE TOTAL AMOUNT OF WASTE HAULED BY THE FRANCHISE HAULER WAS BASED ON
19 SCALES RECORDS, AND THE DIFFERENCE BETWEEN THE TOTAL AMOUNT OF WASTE
20 DISPOSED AND HAULED BY FRANCHISED HAULER WAS DEEMED TO BE THE SELF-HAUL.

21 THE SELF-HAUL WASTE ALLOCATED TO THE CITY WAS 31% OF
22 THE TOTAL WASTE DISPOSED. THE DISPOSAL RECORDS FOR 1995, '96, AND '97
23 SHOWED THAT THE SELF-HAUL WASTE FOR THE CITY IS 62% OF THE TOTAL WASTE
24 DISPOSED, AS OPPOSED TO THE 31% ALLOCATED IN 1991 BASE-YEAR.

25 THE CITY HAS SIGNIFICANT AGRICULTURAL BUSINESSES
26 WITHIN ITS BOUNDARIES, AND IS THE CLOSEST COMMUNITY TO THE OX MOUNTAIN

AUDI-X REPORTING

1 LANDFILL, THE SITE THAT IS THE PRIMARY DISPOSAL FACILITY. THESE FACTORS
2 CONTRIBUTE TO INCREASED SELF-HAUL DISPOSAL AMOUNT.

3 CORRECTION FOR SELF-HAUL AND ADDING THE SLUDGE (SIC) I
4 DISPOSAL INCREASES THE CITY'S BASE-YEAR DISPOSAL BY 11,053 TONS, AND
5 THEIR CALCULATED BASE-YEAR DIVERSION IS 7.2%. WITH THIS CORRECTION, THE
6 CITY'S 1999 DIVERSION WOULD BE 32%.

7 STAFF FEELS THE PROPOSED BASE-YEAR CHANGE IS WELL
8 DOCUMENTED AND RECOMMENDS THE APPROVAL.

9 THIS CONCLUDES MY PRESENTATION. MARK WHITE, THE
10 CONSULTANT FOR THE CITY, AND TERESE (PHON) SMITH, REPRESENTATIVE FOR THE
11 CITY, IS HERE TO ANSWER ANY QUESTION YOU MAY HAVE.

12 CHAIRMAN EATON: ANY QUESTIONS?

13 MEMBER JONES: I'LL WAIT TILL THEY START.

14 CHAIRMAN EATON: ALL RIGHT. I DON'T HAVE ANY SPEAKER SLIPS.

15 OH --

16 MR. WHITE: WE WERE HOPING TO BE INVITED BY YASMIN, SO WE
17 CAN DO THE SLIPS -- WOULD IT BE GOOD FOR THE RECORD --

18 CHAIRMAN EATON: YEAH, I WOULD APPRECIATE IT, JUST SO WE CAN
19 STATE IT FOR THE RECORD.

20 MR. WHITE: SURE, WE'LL --

21 CHAIRMAN EATON: BUT FOR THIS TIME WE HAVE -- JUST STATE
22 YOUR NAME, AND WE'LL --

23 MR. WHITE: CERTAINLY. MARK WHITE, I AM THE CONSULTANT THAT
24 PREPARED THE REQUEST FOR THE CITY OF HALF MOON BAY. TERESE SMITH, THE
25 PUBLIC WORKS DIRECTOR, IS HERE WITH A LETTER FROM THE CHAIRPERSON OF THE
26 SOLID WASTE ADVISORY COMMITTEE THAT WE WOULD ALSO LIKE TO READ INTO THE

AUDI-X REPORTING

1 RECORD.

2 I'D BE HAPPY TO RESPOND TO ANY QUESTIONS.

3 CHAIRMAN EATON: OKAY.

4 MEMBER JONES: MR. CHAIRMAN.

5 CHAIRMAN EATON: MR. JONES.

6 MEMBER JONES: MR. WHITE, I'VE GOT A COUPLE OF QUESTIONS.

7 MR. WHITE: SURE.

8 MEMBER JONES: SIXTY-TWO PERCENT OF THE WASTE HAUL IS SELF-
9 HAUL WASTE --

10 MR. WHITE: THAT'S WHAT WE BELIEVE.

11 MEMBER JONES: -- IN HALF MOON BAY?

12 AND THAT WOULD BE CONSTRUCTION AND DEMOLITION AND
13 AGRICULTURAL WASTE, OR WHAT? I MEAN --

14 MR. WHITE: IT'S A MIX OF THINGS. IT'S THAT, PLUS THERE'S A
15 LOT OF WASTE HAUL DIRECTLY FROM THE CITY BY RESIDENCES AND BUSINESSES
16 BECAUSE IT IS SO CLOSE.

17 MEMBER JONES: TO OX MOUNTAIN.

18 MR. WHITE: TO OX. A LOT OF TRAFFIC IN OX.

19 MEMBER JONES: WHEN I LOOK AT THE PROGRAMS, YOU GUYS HAVE
20 CURBSIDE, AND YOU'VE GOT -- YOU DROPPED YOUR PROCUREMENT STUFF, IT LOOKS
21 LIKE, SO YOU'RE NOT BUYING RECYCLED.

22 MR. WHITE: NO. WE'VE GOT AN ORDINANCE IN PROCESS NOW.

23 MEMBER JONES: THERE WERE CURBSIDE -- THE RESIDENTIAL DROP-
24 OFF TO BUY-BACK CENTERS, COMMERCIAL SITE PICK-UP, THOSE PROGRAMS ALL GET
25 TAKEN OVER TO SAN CARLOS

26 MR. WHITE: CORRECT.

AUDI-X REPORTING

1 MEMBER JONES: -- TO YOUR FACILITY THERE?

2 BUT THE GREEN WASTE COLLECTION AND THE COMMERCIAL
3 GREEN WASTE PICK-UP, HAS THAT BEEN IMPLEMENTED YET OR IS THAT STILL IN -
4 -

5 MR. WHITE: YEAH, THAT WAS DONE IN 1997.

6 MEMBER JONES: SO YOU HAVE THOSE PROGRAMS.

7 MR. WHITE: CORRECT.

8 MEMBER JONES: AND THEN A COMPOSTING FACILITY'S WHERE?

9 MR. WHITE: THERE'S A MULCH FACILITY OUT AT THE LANDFILL.
10 THEY HAVEN'T YET MOVED INTO COMPOST, BUT EVERYTHING THEY GET IN THEY
11 SELL AS MUCH, SO.

12 MEMBER JONES: OKAY. BECAUSE WITH THESE NUMBER ADJUSTMENTS,
13 YOU GO TO 32% DIVERSION IN '95, BUT DOWN TO 10% IN '96. WHAT'S THE --
14 WHAT DO YOU THINK THE RATIONALE IS FOR THAT?

15 MR. WHITE: WELL, I WISH I KNEW WHAT THE RATIONALE WAS.
16 I'VE BEEN WORKING WITH TERESE AND OTHER MEMBERS OF THE CITY COUNCIL, THE
17 CITY, THE LOCAL SANITARY DISTRICT, TRYING TO IDENTIFY WHY WE HAD SUCH A
18 GREAT INCREASE IN THE WASTE DISPOSED BETWEEN '95 AND '96.

19 WE HAD A SIMILAR INCREASE IN THE AMOUNT OF SLUDGE THAT
20 THE SEWAGE TREATMENT PLANT HANDLED, AND WE ARE UNABLE TO IDENTIFY THE
21 REASON FOR THAT DELTA (PHON). BUT, WE'RE TAKING STEPS TO BEAT THE DELTA
22 DOWN COMING UP.

23 MEMBER JONES: OKAY. JUST SO YOU KNOW, AND EVERYBODY ELSE
24 IN THE ROOM KNOWS, I TOOK ALL OF THE TONNAGES AND ALL THE DIFFERENCES IN
25 TONNAGE, THE WASTE GENERATED AND THE POPULATIONS THAT YOU HAVE -- HAD IN
26 '95, AND DIVIDED -- TOOK THE WASTE GENERATION, DIVIDED IT BY THE

AUDI-X REPORTING

1 POPULATION, GOT US SO MANY TONS PER PERSON, PER YEAR. MULTIPLIED IT BY
2 2,000, DIVIDED IT BY 365 -- I'M DOING THIS SO IT GOES IN THE RECORD --
3 AND TO COME UP WITH A POUNDS-PER-DAY --

4 MR. WHITE: PER PERSON.

5 MEMBER JONES: PER PERSON. THE STATE AVERAGE IN 1990 FOR
6 THE POUNDS PER DAY GENERATED WAS 8.1 POUNDS. STATE AVERAGE. YOURS
7 COMES TO 12.5 POUNDS PER DAY.

8 MR. WHITE: UM-HUM.

9 MEMBER JONES: AND YOUR DIVERSION GOES TO 32% IN '95.

10 I'M WONDERING WHY WE'RE AT 12.5 POUNDS PER PERSON.

11 MR. WHITE: I THINK SOME OF THE REASON IS THAT WE HAVE A
12 COMMUNITY OF 10,850 PEOPLE. WE GET 300,000 PEOPLE IN TOWN FOR ONE
13 WEEKEND IN OCTOBER, WE GET A HALF-MILLION PEOPLE IN TOWN ALL YEAR LONG
14 GOING TO BEACHES. AND SO WE HAVE A HUGE VISITOR POPULATION.

15 AND, THAT DOESN'T EVEN TRY TO ESTIMATE THE GUYS JUST
16 COMING IN JUST TO GO SHOPPING IN HALF MOON BAY, WHICH HAPPENS QUITE A
17 BIT.

18 SO, WE HAVE THIS HUGE COMPONENT OF VISITORS THAT WE'VE
19 HAD SOME PROBLEM, CANDIDLY, ON THE STATE PARK SIDE, OF GETTING ANY WAY
20 TO ADDRESS THOSE. THOSE FOLKS DON'T HAVE RECYCLING PROGRAMS AT THE
21 STATE PARK EXCEPT FOR THE OFFICES. BUT, WE HAVE TAKEN ACTION TO GO
22 AFTER THOSE GUYS AS WELL WITH SOME MONEY TO BUY THEM SOME RECYCLING
23 CONTAINERS AND GET THAT MATERIAL HAULED OFF TO SAN CARLOS, AS WELL.

24 ON THE FESTIVALS -- AND I -- AND THAT'S JUST ONE
25 FESTIVAL I TOLD YOU, THE 300,000. WE HAVE FIVE FESTIVALS IN TOWN, ALL
26 OF WHICH GET SIGNIFICANT PARTICIPATION. NOT 300,000 PEOPLE, BUT THEY

AUDI-X REPORTING

1 GET A LOT.

2 WE'RE MOVING IN THAT AREA, GETTING SOME MONEY -- WE
3 ANTICIPATE SOME GRANT MONEY TO ENABLE US TO BETTER FOCUS OUR PUBLIC
4 INFORMATION PROGRAM, ON GETTING PEOPLE TO PUT THE RECYCLABLES INTO THE
5 RECYCLABLE CONTAINER THAT'S IMMEDIATELY ADJACENT TO THE LITTER
6 CONTAINER.

7 WE WANT TO DO SOME WASTE AUDITS ON THOSE TWO
8 CONTAINERS AFTER THE FESTIVAL AND FIND OUT WHAT WE HAVE, AND WE WANT TO
9 REFOCUS OUR PUBLIC INFORMATION PROGRAMS AGAIN AND DO THE WASTE AUDITS
10 AGAIN.

11 WE THINK THAT WE HAVE A HUGE OPPORTUNITY IN OUR
12 DIVERSION FROM OUR VISITORS, AND WE THINK WE'RE TAKING REASONABLE STEPS
13 TO ADDRESS THAT.

14 TWO OTHER AREAS, THOUGH, THAT I THINK ACCOUNT FOR SOME
15 OF THAT -- I DID THE SAME MATH, MR. JONES, AS YOU DID, ONLY I JUST DID
16 THE TONS. YOU KNOW, WE'RE LIKE AT TWO TONS A PERSON A YEAR. MOST FOLKS
17 ARE ONE. SO, WE'RE UP THERE A LONG WAYS AND I JUST COULDN'T SEE IT.

18 YOU LOOK OUT THERE, THE RECYCLING BINS OF THE
19 RESIDENTS IS PRETTY FULL, THEY'VE GOT A PROGRAM, THEY'VE HAD IT, THEY'VE
20 BEEN PARTICIPATING.

21 WE DID A RATE INCREASE IN DECEMBER OF '98, WE GOT SOME
22 REAL INTEREST FROM THE BUSINESSES. YOU KNOW, SOME OF THOSE BUSINESS
23 RATES WENT UP 124%. WHERE BFI, WHEN THEY CAME AROUND TO SELL COMMERCIAL
24 RECYCLING WAS GETTING, YEAH, YOU'RE NICE GUYS, THEY'RE NOW GETTING WHEN
25 CAN YOU BE HERE WITH THE BINS. SO, THINGS ARE COOKING BIG TIME IN THAT
26 AREA.

AUDI-X REPORTING

1 THEY'RE COOKING IN THE C&D AREA. WE'VE GOT A GUY THAT
2 WE DIDN'T EVEN KNOW WAS OUT THERE DOING IT THAT SOON WILL HAVE A CITY
3 PERMIT TO DO PROBABLY 7,000 TONS OF C&D HERE. PLUS, WE'VE GOT A HUGE
4 AMOUNT OF CONSTRUCTION COMING DOWN THE PIKE.

5 SO, WE'RE POISED TO MEET AN INCREDIBLE INCREASE AGAIN
6 IN DISPOSAL IF WE WEREN'T DOING THESE PROGRAMS. BUT, WE'RE POISED TO
7 MEET THAT INCREASE IN DISPOSAL.

8 SO, A VERY LONG ANSWER TO A VERY STRAIGHTFORWARD,
9 SIMPLE QUESTION IS, WE THINK WE HAVE A HUGE IMPACT MAINLY FROM THE
10 VISITOR POPULATION THAT GETS OUR NUMBERS UP THAT HIGH.

11 MEMBER JONES: WITH REGARD TO -- BUT THEY'RE NOT SELF-
12 HAULING THAT GARBAGE OUT.

13 MR. WHITE: NO, NO, THEY'RE NOT. THAT'S GOING OUT WITH --

14 MEMBER JONES: SO WHAT FIGURES DO YOU BASE YOUR SELF-HAUL
15 FIGURES ON?

16 THE BOARD --

17 MR. WHITE: OH --

18 MEMBER JONES: -- JUST TO CORRECT.... THE METHODS THAT WERE
19 APPROVED BY THE BOARD ARE METHODS. BECAUSE YOU USE ONE OF THE METHODS
20 DOES NOT GUARANTEE THE RESULT BECAUSE THERE NEEDS TO BE SUBSTANTIAL
21 BACKUP, THEY WERE APPROVED METHODS, THEY WERE DEFAULT METHODS. AND THE
22 BOARD'S OBLIGATION WAS TO GO BEHIND TO FIND OUT WHETHER OR NOT THE
23 RESULT REACHED BY USING ONE OF THESE METHODS IS SUFFICIENT TO FORM A
24 REASONABLE BASIS FOR SAYING THAT THEY'RE ACCURATE.

25 SO, IF YOU WHAT FIGURES DO YOU BASE THE SELF-HAUL
26 ON? WHAT BACK-UP DOCUMENTATION DOES THE CITY HAVE?

AUDI-X REPORTING

1 MR. WHITE: WE HAVE DOCUMENTATION THAT WE GET FROM DAILY
2 RECORDS THAT BFI TAKES, SELF-HAUL GOING INTO THE LANDFILL. THEY DO
3 QUARTERLY REPORTS TO THE COUNTY, AND THE WAY -- WE ARRIVED AT THIS,
4 REALLY, USING THE INITIAL WAY THAT THE SELF-HAUL WAS DETERMINED IN 1990,
5 AND THEN LOOKING AT THE WAY SELF-HAUL IS ACTUALLY MEASURED TODAY.

6 BECAUSE IN 1990 -- PARDON ME, '91, IT WAS DETERMINED,
7 IT WAS EXTRAPOLATED FROM A WASTE GENERATION STUDY DONE FOR -- I BELIEVE
8 IT WAS 21 JURISDICTIONS, THE SMALLEST -- ONE OF THE SMALLEST OF WHICH IS
9 HALF MOON BAY. ALSO THE CLOSEST TO THE LANDFILL. THEY DID THAT, AND
10 ALL THESE BIG GUYS, REDWOOD CITY AND THE OTHERS, EVERYBODY CAME UP WITH
11 AN AVERAGE OF 31% SELF-HAUL, SO EVERY ONE OF THE JURISDICTIONS GOT 31%
12 OF THE SELF-HAUL, WITH NO ATTEMPT WHATSOEVER TO MEASURE THE ACTUAL SELF-
13 HAUL FROM ANY ONE OF THOSE 21 JURISDICTIONS. WHICH, AT THAT TIME MAY
14 HAVE BEEN A FAIR WAY TO DO IT.

15 WHAT I DID WAS TO GO BACK AND LOOK AT THE ONLY
16 FRANCHISED HAULER WE HAVE IN TOWN, WHICH IS BFI. WE KNOW WHAT BFI'S
17 TONS ARE, HE MEASURES HIS TRUCK GOING ACROSS THE SCALES. WE ALSO KNOW
18 WHAT THE TOTAL TONNAGE IS IN '95, '96 AND '97 ATTRIBUTED TO THE CITY OF
19 HALF MOON BAY, THE VAST MAJORITY OF WHICH IS RIGHT THERE AT OX MOUNTAIN.

20 I JUST TOOK THE PERCENTAGE THAT BFI WAS OF THE TOTAL
21 TONNAGE FOR THOSE THREE LATE YEARS, '95 AND '96 AND '97, AND I SAID,
22 WELL, WHAT CHANGES -- AND THAT CAME UP TO, WHAT 62% I BELIEVE IT IS.

23 AND THEN WE SAID, WELL, WHAT CHANGES HAVE OCCURRED IN
24 THIS TOWN THAT WOULD HAVE IMPACTED SELF-HAUL TO CAUSE IT TO GROW TO THAT
25 SIZE SINCE '91. IN ESSENCE, THERE REALLY HAVEN'T BEEN ANY CHANGES.
26 THERE'S BEEN A VERY SMALL INCREASE IN POPULATION, A VERY SMALL INCREASE

AUDI-X REPORTING

1 IN THE NUMBER OF BUSINESSES.

2 SO, TO ME THEN, IT SAID, WELL, IN '91 WHEN THEY
3 ASSESSED IT WITH 21 COMMUNITIES, US BEING THE SMALL PEANUT IN THE
4 BARREL, IT REALLY HAD NO RELATIONSHIP AT ALL TO WHAT OUR SELF-HAUL WAS
5 THEN. OUR SELF-HAUL THEN SHOULD BE MORE LIKE WHAT IT IS ON THE AVERAGE
6 OF THESE THREE YEARS TODAY. THAT'S HOW I CAME UP WITH THAT NUMBER.

7 MEMBER JONES: MR. CHAIRMAN?

8 CHAIRMAN EATON: MR. JONES.

9 MEMBER JONES: JUST ANOTHER FOLLOW-UP QUESTION.

10 IN '91 -- '90-91-92, IN THAT AREA, I'M ASSUMING THAT A
11 LOT OF THE MATERIAL THAT YOU'RE CALLING SELF-HAUL IS GOING TO BE
12 CONSTRUCTION AND DEMOLITION WASTE?

13 MR. WHITE: I HAVE NO IDEA WHAT THE CHARACTER WAS AT THAT
14 TIME.

15 MEMBER JONES: NO, NO, NOW. THAT HOW YOU GOT TO 62%, WHAT
16 PORTION OF THAT DO YOU THINK WAS C&D?

17 MR. WHITE: OH, GEE, A LOT OF IT'S DEBRIS BOXES.

18 MEMBER JONES: C&D?

19 MR. WHITE: YEAH. I THINK A LOT OF IT IS C&D.

20 MEMBER JONES: BECAUSE IF YOU REMEMBER, IN 1990 AND '91, THE
21 ECONOMY IN THE BAY AREA, AND THE GROWTH IN THE BAY AREA WAS ALMOST
22 COMPLETELY STAGNANT. THE BUILDING INDUSTRY WAS HURTING, THERE WEREN'T A
23 LOT OF DEBRIS BOXES BEING PUT OUT, I CAN ATTEST TO THAT. AND THAT HAD
24 AN IMPACT. BUT THAT'S REAL WASTE THAT WASN'T BEING GENERATED.

25 SO, YOU KNOW, TO GO TO USING THE '95-96 NUMBERS -- AND
26 BUILDING HAS IMPROVED IN THE HALF MOON BAY AREA. CORRECT? I MEAN --

AUDI-X REPORTING

1 MR. WHITE: THERE HAVEN'T BEEN -- LET ME ASK TERESE SMITH,
2 THE BUILDING -- THE PUBLIC WORKS DIRECTOR TO ANSWER THAT.

3 MS. SMITH: THE CITY'S HAD A RESIDENTIAL GROWTH LIMITATION
4 ORDINANCE ON THE BOOKS NOW SINCE -- THE INITIATIVE PASSED IN '91. THE
5 ORDINANCE IMPLEMENTING THAT INITIATIVE PASSED IN AROUND '93 OR '94.
6 GROWTH HAS BEEN AT ABOUT HALF-PERCENT A YEAR, IT'S BEEN VERY SLOW.

7 HOWEVER, WE HAVE 400 UNITS OF RESIDENTIAL DEVELOPMENT
8 FROM VESTING MAPS (PHON) THAT ARE GOING TO GO INTO CONSTRUCTION THIS
9 SUMMER, A 266-ROOM RITZ CARLTON HOTEL AND A NUMBER OF OTHER HOTEL
10 PROJECTS. SO, WE'RE GOING TO SEE A SPIKE, ALTHOUGH OUR RESIDENTIAL
11 GROWTH HAS BEEN VERY SLOW, YOU KNOW, OVER THE PAST DECADE REALLY.

12 ONE THING THAT'S REALLY INTERESTING TO NOTE, THOUGH,
13 IS WHILE WE HAVEN'T HAD RESIDENTIAL DEVELOPMENT, IN THE LAST FIVE YEARS
14 WE'VE SEEN A 38% INCREASE IN TRAFFIC. OUR OCCUPANCY RATE ON HOTELS IS
15 AT 96%, HOTEL DEVELOPMENT'S RUNNING RAMPANT. SO, WE ARE SEEING A LOT
16 MORE VISITOR IMPACT, AND A LOT MORE BEACH IMPACT THAT MARK ALLUDED TO.

17 CHAIRMAN EATON: ANY OTHER QUESTIONS?

18 WHAT DOCUMENTATION HAVE WE GOT FOR FIGURES FROM STAFF
19 WITH REGARD TO THE SELF-HAUL? DO WE HAVE SLIPS, DO WE HAVE WEIGHT
20 SLIPS, DO WE HAVE JUST LETTERS, WHAT KIND OF -- WHAT IS THE BACK-UP
21 DOCUMENTATION BY WHICH TO MAKE AN INFORMED DECISION.

22 MS. SATTER: I'VE SUPPLIED THE FIGURES FROM THE BFI, FROM
23 THE DIFFERENT TRANSFER STATIONS, ACTUAL DISPOSAL FROM SELF-HAUL.

24 CHAIRMAN EATON: SO THEY'RE ESTIMATES?

25 MS. SATTER: WE DON'T HAVE ACTUAL RECEIPTS.

26 CHAIRMAN EATON: OKAY. ALL RIGHT, MR. JONES.

AUDI-X REPORTING

1 MEMBER JONES: DID THE DISPOSAL REPORTING SYSTEM THAT
2 EVERYBODY'S GOT TO TURN IN VERY QUARTER OR WHATEVER BACK UP THE NUMBERS
3 AS FAR AS -- THAT YOU HAVE? BECAUSE THAT DOES -- THAT IS ACTUAL --

4 MS. SATTER: YES.

5 MEMBER JONES: SO THE DISPOSAL REPORTING SYSTEM NUMBERS THAT
6 CAME TO YOU BACKED UP THOSE TOTAL TONNAGES THAT THEY HAD REPORTED AS FAR
7 AS WHAT WAS BEING BROUGHT IN BY FRANCHISE AND SELF-HAUL?

8 MS. SATTER: YES.

9 MEMBER JONES: OKAY. THEY CORRESPONDED.

10 MS. SATTER: RIGHT.

11 MEMBER JONES: OKAY.

12 CHAIRMAN EATON: WHAT WAS ALLOCATED FROM THE OTHER
13 INDIVIDUALS WHO ARE USING THE LANDFILL THERE? WHAT OTHER ALLOCATIONS
14 FOR SELF-HAUL, AS IT RELATED TO THE OTHER PARTS OF THE COUNTY THAT MAY
15 BE USING IT?

16 MS. SATTER: YOU MEAN THE OTHER JURISDICTIONS?

17 CHAIRMAN EATON: SURE. BECAUSE, OBVIOUSLY, THEY'RE NOT THE
18 ONLY JURISDICTION THAT'S USING IT. SO THE QUESTION THEN BECOMES, AT
19 WHAT POINT DO WE HAVE TO TRY AND TRACE THE BOUNCING BALL TO FIND OUT
20 WHERE --

21 MS. SATTER: WELL, RIGHT NOW --

22 CHAIRMAN EATON: -- SO WE'RE NOT DOUBLE-COUNTING. IF HE
23 GETS "X" PERCENT --

24 MS. SATTER: -- AROUND 20 MORE JURISDICTIONS THAT HAVE NOT
25 COME FORWARD YET.

26 CHAIRMAN EATON: IN THAT SURROUNDING AREA?

AUDI-X REPORTING

1 MS. SATTER: RIGHT. WITH SAN MATEO COUNTY.

2 CHAIRMAN EATON: SO IT'S POSSIBLE THAT WE COULD WIND UP WITH
3 A SITUATION WHERE WE COULD ALLOCATE OVER 100%.

4 MS. SATTER: WELL, RIGHT NOW WHAT WE LOOKED AT IT, WHAT WAS
5 DISPOSED IN 1990 AND WHAT THEY HAD -- WHAT THE JURISDICTION HAD SHOWN
6 US, AND WHAT THEY HAD -- THE RECORDS SHOWING WHAT THE FEE WAS PAID, SO
7 I'M TRYING TO STAY IN THAT BOUNDARY, NOT LET THE TONNAGE GO OVER.

8 BUT RIGHT NOW ONLY TWO JURISDICTIONS HAVE COME FORWARD
9 WITH THE BASE-YEAR CHANGES. AND SINCE THE REGULATION ALLOWS US TO USING
10 THAT BOARD-APPROVED METHODOLOGY ADJUST THE BASE-YEAR. AND THERE ARE A
11 FEW MORE JURISDICTIONS WILL BE COMING FORWARD WITH THEIR BASE-YEAR
12 CHANGES, AND WE WILL LOOK AT IN TO AS THEY BRING THEIR ISSUES TO US.

13 MEMBER JONES: MR. CHAIRMAN?

14 CHAIRMAN EATON: MR. JONES.

15 MEMBER JONES: I THINK WHAT YOU'RE SAYING IS LIKE THE SAME
16 THING WITH THE L.A. COUNTY FIX.

17 IF EVERYBODY WAS GOING TO BE GIVEN 31%, AS FAR AS SELF-HAUL,
18 AND NOW THEY'RE GOING TO TAKE 62%, WHO WANTS TO LOSE? WHICH OF THOSE
19 JURISDICTIONS IS GOING TO GO FROM 31% DOWN TO 20? WHICH THREE?

20 AND I NEED TO SAY SOMETHING HERE. I DON'T WANT STAFF
21 TO FEEL AT ALL LIKE WE ARE PICKING ON YOU. THIS IS CRITICAL TO AB 939.

22 EVERYBODY IN THE ROOM NEEDS TO UNDERSTAND THAT THIS IS THE BASIS OF A
23 LEGISLATION AND INVESTMENT IN TIME AND EFFORT, AND FOR US TO MAKE A
24 MISTAKE AS POLICY-MAKERS HERE TO DO A QUICK FIX DOES NOT DO A SERVICE TO
25 ANYBODY IN THE STATE OF CALIFORNIA.

26 NOW, I -- SAYING THAT -- I MEAN, I'VE GOT A LOT OF

AUDI-X REPORTING

1 QUESTIONS AS WE GO THROUGH THESE. AND VERY HONESTLY, I'M NOT IN A MODE
2 RIGHT NOW, OTHER THAN FOUR OR FIVE OF THESE THAT I MAY CONSIDER BEING
3 PRETTY CLOSE.

4 BUT MR. EATON'S GOT A POINT. I MEAN, WE HAVE TO HAVE
5 A PLAN. IF THEY'RE GOING TO TAKE 62% OF THAT SELF-HAUL WASTE OUT OF SAN
6 MATEO COUNTY WHO GETS TO LOSE IT? BECAUSE WE CAN'T COME UP TO OVER A
7 HUNDRED PERCENT OF THE TONNAGE.

8 AND I -- YOU KNOW, I'M NOT SO SURE THAT WE DON'T -- WE
9 DON'T KIND OF OWE IT TO OURSELVES TO GO THROUGH THESE THINGS AND MAYBE
10 NOT MAKE A DECISION UNTIL WE GET A FEEL, AS THESE QUESTIONS COME OUT,
11 WHERE WE NEED TO REALLY FOCUS THIS THING. I MEAN, AS FAR AS SOME OF THE
12 RECONCILIATIONS. MAYBE NOT. I MEAN, THAT'S JUST THIS BOARD MEMBER'S
13 POINT OF VIEW, THAT THIS MAY HAVE COST SOME CITIES A LOT OF MONEY TO FLY
14 UP HERE. BUT THE OUTCOME HAS TO BE THAT WE FEEL COMFORTABLE. BECAUSE I
15 DON'T WHEN I SEE CERTAIN JURISDICTIONS GOING FROM 4% TO 40% WITH NO
16 PROGRAMS, BECAUSE THE BASE-YEAR GOT CHANGED.

17 MS. SATTER: EXCUSE ME. I JUST WANTED TO CLARIFY THAT 62%.
18 THIS IS THE 62% OF THE TOTAL WASTE DISPOSED BY HALF MOON BAY, IT'S NOT
19 THE ENTIRE BASE DISPOSED.

20 MEMBER JONES: I UNDERSTAND THAT. BUT IN 1990 THEIR TOTAL
21 WASTE DISPOSED WAS -- OR, '91, WAS 10,997 TONS, AND TODAY THEY'RE COMING
22 FORWARD SAYING THAT THERE WAS SELF-HAUL WASTE THAT WASN'T IDENTIFIED,
23 AND NOW THAT TONNAGE THAT WAS REALLY DISPOSED IS 22,030 TONS.

24 AT OX MOUNTAIN THEY -- AND I UNDERSTAND HOW YOU
25 RECONCILE WITH DOE (PHON) TO MAKE SURE IT STAYED WITHIN. BUT WE'RE
26 DEALING WITH ONE OUT OF 20 CITIES. YOU HAVE SAN BRUNO, SO YOU'VE GOT

AUDI-X REPORTING

1 TWO OUT OF 20. THERE'S STILL 18 OTHERS THAT MAY COME FORWARD AND SAY
2 THEIR BASE-YEARS ARE WRONG, AND, YOU KNOW, HOW DO WE KEEP IT WITHIN THAT
3 BOE TONNAGE?

4 BECAUSE WE'VE JUST DOUBLED THEIR TONNAGE. WE'VE --
5 THEIR DISPOSAL TONNAGE HAS GONE UP 12,000 TONS. THAT MEANS SOMEBODY
6 ELSE'S HAS TO GO DOWN 12,000 TONS. AND I DON'T KNOW WHICH ONE OF THOSE
7 CITIES WANTS TO STEP UP AND SAY WE'LL TAKE THAT LOSS, YOU KNOW, IN
8 TONNAGE. BECAUSE AT SOME POINT THAT'S THE MATH.

9 MR. SCHIAVO: PAT SCHIAVO OF THE OFFICE OF LOCAL ASSISTANCE.
10 BECAUSE THIS IS THE BEGINNING OF THE PROCESS FOR THE
11 SAN MATEOS TO COME FORWARD WHAT WE NEED TO DO, AS YOU MENTIONED, IS
12 TRACK THEM MUCH AS WE DO L.A. COUNTY, IS TRACK HOW MUCH IS COMING OFF
13 THE TOP.

14 WHAT WE'VE SEEN IN A LOT OF JURISDICTIONS THROUGHOUT
15 THE STATE IS THAT VERY SMALL JURISDICTIONS GET IMPACTED SIGNIFICANTLY,
16 WHERE THE LARGER ONES COULD POSSIBLY DROP A LITTLE BIT THEY MAY NOT AT
17 ALL, AND THAT'S WHERE THE RECONCILIATION HAS TO COME IN TO PLAY.

18 BECAUSE THIS IS SO EARLY IN THE PROCESS WITH SAN MATEO
19 COUNTY WE'RE NOT SURE HOW THAT PLAYS OUT. BUT THEY'VE RECOGNIZED OVER
20 THE LAST -- LONG PERIOD OF TIME THAT THEY HAVE A COUNTY-WIDE ALLOCATION
21 PROBLEM. AND BECAUSE THESE ARE COMING FORWARD FIRST, AGAIN, WE DON'T
22 KNOW HOW IT PLAYS OUT FOR THE REST OF THEM AND HOW IT BALANCES OUT.

23 BUT IT DOES -- YOU KNOW, IT NEEDS TO TIE OUT TO THE BOE
24 FIGURES. I CAN'T, LIKE YOU MENTIONED, ADD OVER A HUNDRED PERCENT AND
25 THAT'S WHAT WE'RE FACING. BUT, BECAUSE THEY ARE SO SMALL IT CAN IMPACT
26 THEM TREMENDOUSLY. I JUST WANTED TO MENTION THAT.

AUDI-X REPORTING

1 CHAIRMAN EATON: BUT I THINK YOU'RE RIGHT, AND I THINK --
2 BUT, DOESN'T IT MAKE BETTER SENSE THEN, FROM A PUBLIC POLICY
3 PERSPECTIVE, THAT IF IT'S JUST THE BEGINNING THAT YOU GO BACK -- BECAUSE
4 THERE'S ANOTHER MISNOMER, AND I'M GOING TO PICK UP THE MANTRA OF MR.
5 JONES -- THESE ARE NOT OUR NUMBERS.

6 AND IT MAY BE A METHOD BY WHICH WE'VE APPROVED, BUT
7 USING A METHOD DOESN'T GUARANTEE THE APPROVAL, NOR DOES IT GUARANTEE THE
8 25%, NOR DOES IT CERTIFICATION OF ANY 25%. BUT, THAT WE GO BACK AND SAY
9 AS A COUNTY, AS A JURISDICTION YOU HAVE A PROBLEM. WE'VE DONE THAT IN
10 LOS ANGELES AND SAID, NOW YOU HAVE TO, BEFORE YOU BRING ANYTHING FORWARD
11 HERE, RECONCILE THIS. THAT IS A VERY PRUDENT APPROACH AS OPPOSED TO A
12 PIECEMEAL APPROACH.

13 AND I THINK THAT'S WHERE, AT LEAST FROM MY
14 PERSPECTIVE, I'D RATHER GO OUT AND SAY YOU GUYS, YOU'VE GOT A PROBLEM
15 HERE, YOU KNOW, RECONCILE IT, YOU KNOW, WE CAN WORK WITH YOU BUT YOU'VE
16 GOT TO RECONCILE IT.

17 BECAUSE IF YOU HAVE -- I MEAN, I JUST KNOW THE COUNTY,
18 THAT PROBABLY A LOT OF THE SELF-HAUL IN SOME OF THE AREAS SURELY DOESN'T
19 AMOUNT TO WHAT'S THERE, THERE'S A GREATER POPULATION -- JUST BASED ON
20 POPULATION ALONE IN SOME OF THOSE OTHER JURISDICTIONS YOU'RE GOING TO
21 HAVE A GREATER NUMBER. AND IF YOU GET TO IT AT THE END....

22 I MEAN, WHAT WE'RE TRYING TO AVOID IS THE PEOPLE THAT
23 GET IN THE FRONT DOOR GET MORE THAN THOSE THAT GET IN AT THE END. SO
24 WHY NOT JUST SEND THEM BACK AND SAY YOU NEED TO SOLVE THAT PROBLEM, AS A
25 COUNTY, AS A JURISDICTION? I THINK THAT'S THE EASIEST METHOD TO TAKE
26 PLACE, AT LEAST WITH REGARD TO A LOT OF THESE ISSUES, FINE (PHON) IN THE

AUDI-X REPORTING

1 END.

2 AND THE OTHER THING I'D JUST LIKE TO SEE IS, WHERE
3 CURRENTLY IS HALF MOON BAY IN TERMS OF ITS DIVERSION RATE? WITHOUT THIS
4 FIX?

5 MEMBER ROBERTI: MR. CHAIRMAN, IF I CAN JUST ADD A LITTLE
6 SOMETHING, MAYBE A DIFFERENT PERSPECTIVE. I DON'T, FRANKLY, SEE HOW
7 WE'RE EVER GOING TO COME UP WITH ANYTHING THAT IS ANYTHING BUT AN
8 APPROXIMATION. WE'RE TALKING ABOUT SELF-HAUL AND OTHER KINDS OF
9 HAULING, AND DIVERSIONS OR LACK OF DIVERSIONS OF NINE YEARS AGO. I
10 MEAN, SO WE'RE RIGHT NOW GUESSING HOW MANY ANGELS DANCE ON THE HEAD OF A
11 PIN, AND IT'S NOT GOING TO GET ANY BETTER.

12 MY OWN PERSPECTIVE I THINK IS GOING TO BE, IS TO LET
13 THE COUNTIES SORT OF WORK OUT AMONGST THEMSELVES WHAT THE EQUITIES ARE,
14 AND IF THERE ARE ANY INEQUITIES INTRA-COUNTY THAT'S SOMETHING THE
15 COUNTY'S GOING TO HAVE TO FIGHT OUT. WHETHER HALF MOON BAY OR SAN
16 MATEO, YOU KNOW, IS GETTING THE BETTER BENEFIT OF THIS APPROXIMATION
17 THAT WE'RE ENGAGING IN, I DON'T THINK WE HAVE ANY CHOICE BUT TO LEAVE
18 THAT ONE TO THE COUNTY TO HAVE TO FIGHT OUT AMONGST THEMSELVES.

19 BECAUSE ANYTHING WE COME UP WITH AND ANYTHING THEY
20 COME UP WITH IS NOT GOING TO BE EXACT. THIS IS NOT GOING TO BE EXACT
21 SCIENCE. WE'RE TALKING ABOUT NINE YEARS PAST, AND WE'VE GOT TO SETTLE
22 THESE NUMBERS.

23 THE WORST THING IS NOW WE'RE ALMOST -- WE'RE GOING TO
24 BE IN THE YEAR 2000 AND WE'RE STILL -- STILL TRYING TO SETTLE BASE-YEAR
25 DIVERSION RATE, WHAT THE REAL NUMBERS ARE, FOR 1991. SO THE WORST THING
26 IN MY MIND IS NOT GETTING OUR NUMBERS SETTLED.

AUDI-X REPORTING

1 AND I UNDERSTAND EVERYTHING EVERYBODY'S SAYING, THESE
2 ARE APPROXIMATIONS, THEY ARE NOT PRECISE. THERE'S GOING TO BE AN
3 ELEMENT OF UNFAIRNESS. BUT IT IS ABSOLUTELY IMPOSSIBLE FOR US TO DO
4 ANYTHING THAT'S NOT GOING TO HAVE AN ELEMENT OF UNFAIRNESS. AND WE CAN
5 BE DITHERING AROUND AND STILL -- STILL NOT HAVE ANYTHING BETTER.

6 SO, IT'S GOING TO BE EACH COUNTY TO POLITICALLY AND
7 STATISTICALLY AND STRATEGICALLY WORK IT OUT AMONGST THEMSELVES FROM MY
8 OWN PERSPECTIVE, SPEAKING FOR MYSELF, BECAUSE THAT'S THE BEST WE CAN DO.

9 AND IF HALF MOON BAY GETS THE BENEFIT VIS-A-VIS THE OTHER TOWNS, OR NOT
10 A BENEFIT, THAT'S SOMETHING THAT THE BOARD OF SUPERVISORS, OR WHOEVER
11 THE AUTHORITY IN THE -- IN SAN MATEO COUNTY'S GOING TO HAVE TO BE, OR
12 LOS ANGELES COUNTY, OR SAN BERNARDINO COUNTY, OR ANY OF THE OTHERS THAT
13 COME UP.

14 BUT WE'RE -- WE'RE TRYING TO -- I MEAN, IT'S ALMOST
15 INCOMPREHENSIBLE TO ME -- I UNDERSTAND WHY AND, YOU KNOW -- THAT WE'RE
16 NOW IN THE YEAR 1999 TRYING TO DECIDE BASE-YEAR APPROXIMATIONS FROM
17 1991. THERE'S NO WAY WE'RE -- IT'S NEVER GOING TO HAPPEN NO MATTER HOW
18 LONG WE TAKE. IT'S GOING TO BE WRONG OR IMPRECISE --

19 CHAIRMAN EATON: AND I DON'T THINK --

20 MEMBER ROBERTI: -- SO, WHATEVER.

21 CHAIRMAN EATON: -- THAT THERE'S ANY OBJECTION TO THAT.

22 WHAT I'M SAYING IS THAT -- AND I CAN'T SPEAK FOR WHAT
23 TOOK PLACE BEFORE -- AND I CAN ONLY SPEAK FROM THE TIME I'M HERE. BUT I
24 CAN SAY, FOR INSTANCE, THAT WE HAVE AN AFFIRMATIVE OBLIGATION TO BE ABLE
25 TO AT LEAST COME UP WITH AS ACCURATE AS POSSIBLE I KNOW THESE NUMBERS
26 THAT ARE GOING TO BE THERE ARE GOING TO BE OFF.

AUDI-X REPORTING

1 BUT, WHEN YOU HAVE A SITUATION WHERE COUNTIES HAVEN'T
2 EVEN IMPLEMENTED A PROGRAM TILL 1997 AND GET DIVERSION FOR THOSE
3 PROGRAMS BACK IN THE EARLY '90S IN ORDER TO GET THE 25%, I THINK THE
4 PUBLIC HAS THE RIGHT TO KNOW THAT HOW ARE WE COMING UP WITH THOSE
5 FIGURES.

6 AND I THINK THAT'S --

7 MEMBER ROBERTI: YEAH, AND I AGREE --

8 CHAIRMAN EATON: -- THE METHODOLOGY THAT I'M LOOKING AT HERE
9 IN THESE SITUATIONS. BECAUSE WE AT SOME POINT, AS THE CURRENT BOARD, AS
10 WE GO INTO THE NEXT PHASE, ARE GOING TO BE SAYING, OKAY, YOU'VE MOVED
11 FROM NO NUMBER OR ZERO TO 32% WITH NO PROGRAMS, AND YET WE'RE BANGING ON
12 OTHER JURISDICTIONS THAT HAVE PROGRAMS THAT GET TO 26 OR 27 -- I MEAN,
13 THERE ARE QUESTIONS OF CREDIBILITY.

14 MEMBER ROBERTI: AND I AGREE WITH YOU.

15 CHAIRMAN EATON: AND I THINK WE JUST NEED TO LAY A
16 DEMARICATION LINE --

17 MEMBER ROBERTI: I DON'T HAVE ANY DISAGREEMENT WITH YOU.
18 WHAT I AM TALKING ABOUT IS WHEN IT COMES WITHIN THE COUNTY AND WE'RE
19 TRYING TO BALANCE WHATEVER THE TOTAL DIVERSION RATE WE'RE TALKING ABOUT
20 WITHIN A COUNTY THAT MAY ADD UP TO MORE THAN A HUNDRED PERCENT, I DON'T
21 WANT THAT TO ADD UP TO MORE THAN A HUNDRED PERCENT. BUT HOW IT ADDS UP
22 WITHIN THAT COUNTY, THOSE ARE GOING -- THEY'RE GOING TO BE THEIR
23 STATISTICS. WE CAN'T DO A BETTER JOB THAN THE COUNTY CAN DO.

24 CHAIRMAN EATON: I AGREE. AND IT'S NOT OUR OBLIGATION TO DO
25 THAT.

26 MEMBER ROBERTI: AND NOR IS IT OUR OBLIGATION. AND I -- SO,

AUDI-X REPORTING

1 WHATEVER.

2 MEMBER JONES: MR. CHAIRMAN?

3 CHAIRMAN EATON: MR. JONES.

4 MEMBER JONES: SENATOR, YOU KNOW WHEN THIS -- WHEN THE LAW
5 WAS FIRST PASSED IT WAS PASSED ON THE BASIS OF COUNTING SOMETHING THAT
6 DIDN'T EXIST: HOW MUCH DID YOU DIVERT. AND WHEN THAT -- WHEN EVERYBODY
7 UNDERSTOOD THAT THAT WAS UNMANAGEABLE THEN IT WENT TO DISPOSAL-BASED.

8 THE NUMBERS THAT WERE CREATED ORIGINALLY -- OKAY? --
9 LOOKED NOTHING LIKE 12 POUNDS PER PERSON, LOOKED NOTHING LIKE 11 POUNDS
10 PER PERSON. THOSE JURISDICTIONS, THROUGH WHATEVER REASON, CAME UP WITH
11 WASTE GENERATION NUMBERS THAT KIND OF LOOKED LIKE THEY WOULD HAVE BEEN
12 AT SEVEN, AND THEY DROPPED DOWN TO TWO -- TO FIVE-POINT-THREE, WHICH WAS
13 THE -- A REAL GOOD NUMBER TO GET A 25%. AND THAT WAS HOW THE
14 METHODOLOGY WAS USED.

15 WHEN THE LEGISLATION CHANGED TO WHERE IT HAD TO BE
16 DISPOSAL COUNTING EVERYBODY THAT HAD UNDERESTIMATED THEIR TONNAGES SO
17 THAT THE -- BY A MISTAKE OR BY CHOICE, NOW WERE CAUGHT WITH A NUMBER
18 THAT COULDN'T RECONCILE AGAINST DISPOSAL BECAUSE THEY HAD PUT IT SO
19 CLOSE TO DISPOSAL THAT THEY CAN'T SHOW DIVERSION.

20 ONE THING I'M VERY, VERY WORRIED ABOUT IN HERE -- AND
21 I AGREE WITH YOU THAT IT NEEDS TO BE WITHIN A COUNTY -- BUT WE'VE GOT TO
22 MAKE SURE THAT THESE CITIES AND COUNTIES HAVE PROGRAMS. BECAUSE I THINK
23 THAT WAS THE INTENT OF THE LAW, WAS NOT ONLY TO DIVERT BUT TO CHANGE
24 HABITS. AND WHEN A CITY GOES TO 44% BECAUSE OF THIS NUMBER CHANGE, AND
25 HAS NO PROGRAMS, I DON'T THINK THAT IS THE INTENT OF THE LAW,
26 IRREGARDLESS OF HOW THAT TONNAGE GETS DIVVIED UP WITHIN A COUNTY.

AUDI-X REPORTING

1 I'M LOOKING AT THE L.A. COUNTY FIX. AND WE'RE GOING
2 TO LOOK AT 23 CITIES TODAY WITHIN IT. WE'VE ALREADY ALLOCATED SOME
3 STUFF. AND WE'RE LOOKING AT DIVVYING UP 1,745,357 TONS TO THOSE 23
4 CITIES, LEAVING 2,662,000 TONS. BUT WE HAVE 65 CITIES LEFT THAT MAY OR
5 MAY NOT COME IN. IT'S THOSE LAST ONES THAT COME IN, IF THEY'RE LEGIT OR
6 NOT, THERE MAY NOT BE ANY TONNAGE LEFT. YOU KNOW? SO I THINK THAT
7 THAT'S AN ISSUE THAT PEOPLE NEED TO -- YOU KNOW, THAT WE NEED TO BE
8 AWARE OF.

9 AND I JUST WANT TO TIE THIS THING -- I DON'T KNOW HOW
10 MUCH -- YOU KNOW, HOW MUCH WASTE WAS GENERATED IN 1990, BUT I DO KNOW IF
11 THERE WERE NO PROGRAMS IN 1990 AND THERE ARE NO PROGRAMS TODAY YOU DON'T
12 GET TO 44% DIVERSION. I'M SORRY. IT JUST -- THAT'S NOT THE INTENT OF
13 THE LAW.

14 CHAIRMAN EATON: OKAY. ANY OTHER QUESTIONS?

15 MEMBER ROBERTI: CAN I ASK MR. SCHIAVO A QUESTION?

16 CHAIRMAN EATON: PLEASE.

17 MEMBER ROBERTI: I UNDERSTAND THIS IS A CLOSED-LOOP SYSTEM.
18 I'M LEARNING A LOT NOW. THIS IS L.A. COUNTY, THAT'S SAN MATEO COUNTY,
19 BUT IT'S RELATED TO -- IT'S RELATED TO WHAT MR. JONES IS SAYING.

20 WHEN YOU HAVE THAT KIND OF SYSTEM THERE'S NOT GOING TO
21 BE A DOUBLE-COUNTING FOR THE COUNTY, IS THERE?

22 MR. SCHIAVO: WE TRY TO --

23 MEMBER ROBERTI: IF THERE'S A DOUBLE-COUNTING THEN I'M --
24 I'M WITH MY COLLEAGUES THAT, YOU KNOW, WE'RE JUST GOING TO HAVE TO WAIT
25 SOME TIME AND FIGURE THIS ONE OUT. IF THERE'S NO DOUBLE COUNTING AND --
26 YOU KNOW, WITHIN THAT SYSTEM, YOU KNOW, SOMEBODY MAY GET A BENEFIT,

AUDI-X REPORTING

1 SOMEBODY MAY NOT GET A BENEFIT WITHIN THE COUNTY, THEN I DON'T KNOW HOW
2 MUCH BETTER WE CAN GET THIS.

3 MR. SCHIAVO: I SUPPOSE YOU CAN SAY THERE'S NEVER NO DOUBLE-
4 COUNTING, BUT OUR ATTEMPT IS TO MINIMIZE IT AS MUCH AS POSSIBLE. THAT
5 IS SOMETHING WE'RE COGNIZANT OF AND WE TRY TO ELIMINATE ANY DOUBLE-
6 COUNTING. BUT, I CAN'T SAY FOR CERTAIN THAT THERE'S NOT.

7 MEMBER ROBERTI: BUT THAT IS OUR GOAL, OUR OBJECTIVE --

8 MR. SCHIAVO: THAT'S OUR GOAL.

9 MEMBER ROBERTI: -- AND WE COULD PROBABLY -- AND WE COULD
10 PROBABLY -- AND AM I PUTTING WORDS IN YOUR MOUTH? -- WE COULD -- AND IF
11 WE DON'T ADOPT THESE NUMBERS -- WE COULD PROBABLY END UP WITH DOUBLE-
12 COUNTING WITH WHATEVER NUMBERS WE CAME UP WITH.

13 MR. SCHIAVO: YEAH, I WOULD -- IT'S A POSSIBILITY.

14 MEMBER ROBERTI: AND WHAT ABOUT SAN MATEO, WHAT KIND OF
15 SYSTEM ARE THEY ON?

16 MR. SCHIAVO: WHAT KIND OF SYSTEM? I'M SORRY?

17 MEMBER ROBERTI: ARE THEY ON A CLOSED -- A CLOSED-LOOP --

18 MR. SCHIAVO: A CLOSED -- I'M NOT -- YASMIN, DO YOU KNOW IF
19 THEY'RE PRETTY MUCH CLOSED WITH THEIR LANDFILL --

20 CHAIRMAN EATON: YOU SEE, YOU GO IN THE CITY OF L.A. WHO WE
21 WILL GET TO LATER, THEY'VE DONE A WASTE CHARACTERIZATION STUDY, SO
22 THEY'VE ELIMINATED A LOT OF THOSE KINDS OF FUDGE FACTORS, IF I CAN USE
23 THAT. AND SO WHAT THEY'VE DONE IS, THEY'VE SAID, YEAH, WE KNOW WHERE WE
24 ARE, WE KNOW, WE'VE BEEN, WE'VE LOOKED THERE, AND NOW THEY CAN PRESENT A
25 PLAN. AND THERE'S -- AND IN ADDITION THEY HAVE PROGRAMS.

26 SO WHEN YOU SEE THE JUMP GO FROM 20 TO 30, OR TO 35 OR

AUDI-X REPORTING

1 40, THERE'S A BASIS BY WHICH THAT LEAP CAN -- AND YOU GET --

2 MEMBER ROBERTI: THERE'S A RATIONAL BASIS TO IT --

3 (THE PARTIES SIMULTANEOUSLY SPEAK.)

4 CHAIRMAN EATON: -- YOU GIVE EVERY REASONABLE INFERENCE.

5 MEMBER ROBERTI: YEAH.

6 CHAIRMAN EATON: THAT'S WHERE WE ARE NOW, WHERE WE'RE GOING.

7 THAT WAS ONE OF THE METHODS THAT THEY CHOSE.

8 DON'T FORGET, THE BOARD DID NOT CHOOSE THIS METHOD,
9 THEY WERE -- MADE THEMSELVES -- AFFORDED THE OPTION TO CHOOSE WHATEVER
10 METHOD THEY WANTED TO, BUT THEY WERE SORT OF ALSO BUYER-BEWARE, THAT THE
11 OBLIGATION WAS, IS THAT THE RESULT THAT CAME ABOUT MAY NOT BE -- AS MR.
12 JONES SAID -- WHERE YOU MOVE, HAVE NO PROBLEMS IN THE BEGINNING OF THE
13 '90S, AND THEN YOU STILL HAVE NO PROGRAMS NOW AND YOU MOVED TO 44%. I
14 MEAN, IT'S BETTER THAN HITTING THE LOTTERY.

15 MR. SCHIAVO: REGARDING THE --

16 MEMBER ROBERTI: LET ME ASK YOU --

17 MR. SCHIAVO: SURE.

18 MEMBER ROBERTI: -- IN THE SAN MATEO COUNTY SITUATION, HOW -
19 - WHAT ARE INTERNAL MECHANISMS TO MAKE SURE -- NOT TO MAKE SURE THERE'S
20 NO INEQUITY, BECAUSE I'M CONVINCED THIS IS NEVER GOING TO HAPPEN -- TO
21 MAKE SURE THAT THERE'S NO DOUBLE-COUNTING?

22 MR. SCHIAVO: RIGHT. WE --

23 MEMBER ROBERTI: I SORT OF UNDERSTAND NOW THE L.A. SYSTEM --

24 MR. SCHIAVO: RIGHT.

25 MEMBER ROBERTI: IS THE OF THE COUNTY. HOW DO WE DO

26 IT IN SAN MATEO?

AUDI-X REPORTING

1 MR. SCHIAVO: WE ATTEMPT TO DO THAT THROUGH THE BOE
2 RECONCILIATION PROCESS THAT WE HAVE INTERNALLY --

3 MEMBER ROBERTI: YEAH, WELL, YOU'VE GOT ME --
4 (THE PARTIES SIMULTANEOUSLY SPEAK.)

5 MEMBER ROBERTI: -- IS BOE?

6 MR. SCHIAVO: BOARD OF EQUALIZATION.

7 MEMBER ROBERTI: OH, BOARD OF EQUALIZATION. YEAH, WELL, HOW
8 ABOUT THAT? OKAY.

9 MR. SCHIAVO: OKAY. AND SO WE DO MAKE THAT ATTEMPT THROUGH
10 OUR INPUTS AND QUESTIONING OF SAN MATEO. AND WHAT WE'VE FOUND IS THAT
11 THERE ARE A LOT OF ALLOCATION ERRORS THROUGHOUT THE COUNTY, AND BECAUSE
12 OF THAT WE FOUND IT WAS A COUNTYWIDE ISSUE.

13 AS FAR AS BEING CLOSED-LOOPED, MARK WHITE MAY BE
14 BETTER ABLE TO HANDLE THAT. DOES ALL THE DISPOSAL IN THE COUNTY GO TO -
15 - CAN YOU --

16 MR. WHITE: I THINK THE VAST MAJORITY ENDS UP AT OX
17 MOUNTAIN, WITH SOME AT ANOTHER LANDFILL WITHIN THE COUNTY. BUT THERE IS
18 SOME SPILLING OUT, OUTSIDE THE COUNTY, TO SANTA CLARA AND OTHERS.

19 MEMBER JONES: I'M NOT TRYING TO BEAT YOU UP, MARK.
20 ACTUALLY, YOUR NUMBERS ARE PROBABLY A LITTLE SEMI-REASONABLE.

21 BUT, THE --

22 MR. WHITE: I'LL TAKE THAT AS A COMPLIMENT --

23 MEMBER JONES: YOU'VE GOT TO REMEMBER, I LIVED DOWN ALONG
24 HIGHWAY 1 FOR A LOT OF YEARS WHEN I WORKED OUT OF SAN FRANCISCO.

25 THE PROGRAM IMPLEMENTATION. YOU KNOW, I'M NOT SURE IF
26 WE DON'T DO SOMETHING LIKE ASTERISK THESE THINGS THAT THEY'VE GOT A BASE

AUDI-X REPORTING

1 YEAR. AND THEN WHEN FOLKS COME FORWARD FOR 1066 (PHON) WE SAY, OKAY,
2 YOU CAME IN AND GOT A BASE-YEAR, NOW YOU NEED AN EXTENSION, WE'RE GOING
3 TO DO THE BIENNIAL REVIEWS -- "A" (PHON) -- YOU KNOW, YOU DO THE
4 BIENNIAL REVIEWS BUT YOU'VE GOT TO MAKE SURE THEY'VE GOT NEW PROGRAMS.

5 YOU KNOW, YOU JUST CAN'T TAKE ADVANTAGE OF -- AND I'M
6 NOT SAYING THAT YOU'RE TAKING ADVANTAGE, I MEAN, THIS IS BY LAW YOU NEED
7 TO FIX THIS NUMBER, IF THIS IS THE RIGHT NUMBER, I DON'T KNOW. I AM
8 WORRIED THAT WHEN YOU TAKE 12,000 TONS AND MOVE IT TO HALF MOON BAY IT
9 HAS TO COME FROM SOMEBODY ELSE.

10 AND THAT -- THAT'S A PROBLEM THAT WE KIND OF TOOK CARE
11 OF WITH L.A. COUNTY BECAUSE WE -- THEY KNEW GOING IN THAT THE CITIES AND
12 COUNTIES HAD DECLARED LESS TONNAGE THAN WHAT HAD ACTUALLY GONE TO THE
13 SYSTEM LANDFILLS. SO THERE WAS A DEBATE FROM DAY ONE AS TO THE CITIES
14 HAVE UNDERESTIMATED THEIR TONNAGES.

15 I DON'T KNOW WHERE WE'RE AT WITH SAN MATEO COUNTY, AS
16 FAR AS THAT GOES. YOU KNOW WHAT I DON'T?

17 MR. WHITE: I DO, YEAH.

18 MEMBER JONES: SO THIS IS A LITTLE DIFFERENT.

19 MR. WHITE: THANK GOD IT'S SMALLER.

20 MEMBER JONES: YEAH. A LOT SMALLER.

21 BUT, YOU KNOW, SOMEHOW PROGRAMS ARE KEY TO THIS PROCESS.

22 MR. WHITE: YOU KNOW, IN RESPONSE TO THE CHAIRMAN'S QUESTION
23 AND THAT COMMENT BOTH, WE'VE COME IN FOR A RATHER DRAMATIC INCREASE IN
24 BASE-YEAR, AND I'LL BE THE FIRST TO ACKNOWLEDGE THAT WE HAVE. I THINK
25 WE'VE ALSO ILLUSTRATED WHY WE MAY HAVE A MUCH LARGER THAN AVERAGE WASTE
26 GENERATION RATE.

AUDI-X REPORTING

1 BUT I THINK THE IMPORTANT IS THAT --

2 CHAIRMAN EATON: BUT THAT'S NOT SELF-HAUL. YOU JUST --

3 MR. WHITE: I'M NOT SUGGESTING IT IS.

4 CHAIRMAN EATON: -- GOT DONE TELLING ME IT'S --

5 MR. WHITE: NO. I'M SUGGESTING THAT --

6 CHAIRMAN EATON: -- SELF-HAUL. WELL, YOU CAN'T --

7 MR. WHITE: -- THE WASTE GENERATION RATE --

8 (THE PARTIES SIMULTANEOUSLY SPEAK.)

9 CHAIRMAN EATON: -- HAVE WASTE GENERATION IN SELF-HAUL AND
10 SAY THAT THAT'S THE REASON FOR IT. YOU'RE TELLING ME THAT YOU'VE GOT AN
11 INCREASE IN GENERATION. I UNDERSTAND THAT, AND I'VE BEEN TO THOSE
12 FESTIVALS. I UNDERSTAND THAT.

13 BUT THAT'S NOT PART OF YOUR SELF-HAUL NUMBER. IS IT?

14 MR. WHITE: NO, IT ISN'T. I'M JUST ACKNOWLEDGING --

15 CHAIRMAN EATON: OKAY. SO WHERE IS THE SELF-HAUL --

16 MR. WHITE: -- SEVERAL INDEPENDENT FACTS --

17 CHAIRMAN EATON: -- NUMBER THAT I'M LOOKING FOR? THAT'S
18 WHAT I'M LOOKING FOR. I'M LOOKING FOR DOCUMENTATION.

19 MR. WHITE: AND WE GOT THAT DOCUMENTATION DIRECTLY FROM THE
20 LANDFILL OPERATOR, BFI, THAT WE BELIEVE WE COORDINATED VERY WELL WITH
21 THE BOE DATA.

22 CHAIRMAN EATON: AND WHAT IS THAT DOCUMENTATION? TO GO BACK
23 TO MY FIRST QUESTION I ASKED YOU.

24 MR. WHITE: THOSE REPORTS WHICH BFI PROVIDES THROUGH THE
25 COUNTY TO YOU FOLKS ON A QUARTERLY DISPOSAL REPORTING SYSTEM BASIS.
26 PLUS, THEY DO THAT DISPOSAL REPORTING ON A DAILY BASIS, AND SO WE USED

AUDI-X REPORTING

1 THE DAILY INFORMATION, ACTUALLY.

2 BUT I GUESS THE POINT I WAS JUST TRYING TO MAKE IS, WE
3 HAVE THE PROGRAMS NOW. IN '95 WE HAD GOOD PROGRAMS, WE HAVE ESCALATED
4 THOSE PROGRAMS BETWEEN '95 AND '98 FAR BEYOND WHAT WAS ANTICIPATED IN
5 THE SREE. FAR BEYOND IT. WE'RE INTO PROGRAMS THAT WERE NOT EVEN LISTED
6 IN THERE.

7 MEMBER JONES: MR. CHAIRMAN?

8 CHAIRMAN EATON: GO AHEAD.

9 MEMBER JONES: BUT FOLLOW-UP TO THAT, MARK, IS THAT WITH
10 THESE NUMBER ADJUSTMENTS IN '95 YOUR BIENNIAL REVIEW NUMBER WILL BE 32%,
11 IN '96 IT WILL BE 10%.

12 CHAIRMAN EATON: AND GOING DOWN.

13 MR. WHITE: UM-HUM. AND DO YOU KNOW WHY? I DO.

14 MEMBER JONES: WHY?

15 MR. WHITE: BECAUSE THE FORMULA THAT WE USED TO CALCULATE
16 THOSE NUMBERS IS COMPLETELY AND TOTALLY IRRELEVANT FOR HALF MOON BAY, IT
17 WILL NEVER COME UP WITH A GOOD MEASURE OF RECYCLING IN THAT COMMUNITY.
18 IT'S IMPOSSIBLE, BECAUSE IT'S SET FOR THE AVERAGE COMMUNITY IN
19 CALIFORNIA. WE'RE A LONG WAY FROM BEING AVERAGE.

20 ACCORDING -- AS I OUTLINED IN THE OTHER THING, WE WANT
21 TO APPROACH IT IN A DIFFERENT WAY. I WANT TO MEASURE THE RECYCLING.
22 I'VE GOT TO MEASURE THE DISPOSAL. I'LL DO THE MATH, YOU CAN DO THE
23 MATH. I CAN SHOW THE CHAIRMAN WHERE THOSE NUMBERS CAME FROM. AND WE'RE
24 UP TO 32% IN '98 DOING THAT.

25 ~~MEMBER JONES: OKAY. FOR PURPOSES OF THE BIENNIAL REVIEW --~~
26 BECAUSE YOU GUYS HAVEN'T GONE THROUGH IT YET --

AUDI-X REPORTING

1 MR. WHITE: RIGHT. YEAH.

2 MEMBER JONES: IF THESE NUMBERS ARE WHAT ARE PRESENTED TO
3 US, THAT YOU ARE -- IN '95 YOU'RE AT 32%, IN '96 YOU'RE AT 10% -- HAVE
4 YOU MET THE FIRST PART OF -- HAVE YOU MET THE MANDATE?

5 MR. WHITE: WE COULD TALK ABOUT THAT OVER A BEER SOMETIME.
6 (LAUGHTER.)

7 FIRST OFF, I HAVE TO SAY I DON'T NECESSARILY -- I'M
8 NOT SURE WHAT THE 10% -- YOU KNOW, HOW THAT NUMBER CAME UP. I HAD SOME
9 DIFFERENT NUMBERS IN THERE WHICH I THOUGHT WERE AN ACCEPTABLE APPROACH.
10 SO, YOU KNOW, THE 10% NUMBER I HAVE AN ARGUMENT WITH RIGHT OFF THE TOP.
11 BUT --

12 MEMBER JONES: OKAY. BUT ALL THINGS BEING EQUAL, THAT SAME
13 FORMULA GOT YOU A 32%.

14 MR. WHITE: TRUE.

15 MEMBER JONES: OKAY. SO THE ONE FORMULA GOT YOU TO 32, THE
16 SAME FORMULA GETS YOU DOWN TO 10. IN '95, WITH THE BASE-YEAR ADJUSTMENT
17 -- WITH THE BASE-YEAR ADJUSTMENT -- YOU'RE AT 32%, YOU DROP IT DOWN TO
18 10%.

19 HAVE YOU MET -- AND, I MEAN, I'M THROWING THIS OUT FOR
20 US -- HAVE YOU MET THE FIRST PART OF THE MANDATE TO RECYCLE 25% OR --
21 OR, DO WE HAVE TO LOOK AT IT AS A GOOD-FAITH EFFORT? AND, IF YOU LOOK
22 AT IT AS GOOD-FAITH AND IT'S DROPPING, THEN WHAT PROGRAMS HAVE BEEN
23 DROPPED TO CAUSE THAT? AND IS THAT IN COMPLIANCE WITH THE LAW?

24 AND, YOU KNOW, I MEAN, THAT'S -- THAT'S THE
25 RAMIFICATION OF WHAT WE'RE DOING HERE.

26 MR. WHITE: YES.

AUDI-X REPORTING

1 MEMBER JONES: I THINK.

2 CHAIRMAN EATON: AND YOU HAVE TO REALIZE THAT I'M NOT
3 OPPOSED TO LOCAL JURISDICTIONS. I AM, HOWEVER, TO THE INTEGRITY OF THE
4 SYSTEM.

5 WHEN I PUT OUT A STATEWIDE FIGURE, AND THAT FIGURE IS
6 SUPPOSED TO BE AN ACCURATE FIGURE, AND I COME IN AND I SEE ALL THE
7 FUDGING GOING, AND EVERYONE ASKS ME WHY ALL THE PUBLIC MONIES ARE BEING
8 SPENT ON PROGRAMS, AND ALL OF A SUDDEN WE'RE ADJUSTING NUMBERS UP FIVE,
9 10, 15%, NOT ONLY IN YOUR LOCAL JURISDICTIONS BUT STATEWIDE -- I MEAN,
10 THERE'S A FINITE POOL.

11 AND I'M JUST TRYING TO FIND OUT WHAT THE FINITE POOL
12 IS, AND WHAT THE DIVERSION RATE IS. BECAUSE AT SOME POINT SOMEONE'S
13 GOING TO UNRAVEL ALL OF IT AND PULL THE STRING, AND IT WON'T BE ON MY
14 WATCH. IT'S THAT SIMPLE.

15 MR. WHITE: YEAH.

16 CHAIRMAN EATON: AND, SO THAT'S -- YOU KNOW, AND CALL IT
17 SELF-PRESERVATION OR WHATEVER. BUT I BELIEVE IF I PUT A FIGURE OUT
18 THERE, OR A PUBLIC AGENCY DOES, THEN YOU OUGHT TO HAVE SOME
19 DOCUMENTATION TO BACK IT UP. AND I DON'T FEEL COMFORTABLE RIGHT NOW
20 WITH ANY OF THE DOCUMENTATION THAT'S PROVIDED.

21 I DON'T EVEN HAVE IN MY PACKET WHAT THE DIVERSION RATE
22 IS AS THE RESULT OF YOUR ADJUSTMENT. NOW, THAT'S NOT YOUR PROBLEM,
23 THAT'S MY STAFF'S PROBLEM, AND I WILL DEAL WITH THAT. BUT THAT'S WHAT'S
24 GETTING TO ME. HOW CAN I TELL? AND I'M -- I SHOULD KNOW WHAT PROGRAMS
25 ARE. I MEAN, IF THERE'S A REASONABLE INFERENCE THERE.

26 SO, I MEAN, YOU CAN DO WHAT YOU WANT AT THIS POINT BUT

AUDI-X REPORTING

1 I CAN'T VOTE FOR -- FOR THIS ADJUSTMENT.

2 MEMBER ROBERTI: CAN I ASK A QUESTION?

3 CHAIRMAN EATON: SURELY.

4 MEMBER ROBERTI: NOW, I HAVE -- I HAVE THIS PASS-OUT HERE
5 FOR TWO COUNTIES, TWO CITIES, IN SAN MATEO COUNTY THAT GAVE DIVERSION
6 RATES. AND YOU, MR. CHAIRMAN, SAID WE DON'T HAVE A DIVERSION RATE. SO
7 WHAT IN THE WORLD -- AND I'M NOT DISPUTING -- WHAT IN THE WORLD IS THIS?

8 CHAIRMAN EATON: THIS JUST CAME LATE LAST NIGHT AS A RESULT
9 --

10 MEMBER ROBERTI: OH, OKAY.

11 CHAIRMAN EATON: -- OF MY INQUIRY --

12 MEMBER ROBERTI: OKAY.

13 CHAIRMAN EATON: -- AS TO WHY IT WASN'T IN.

14 MEMBER ROBERTI: SO THEN THEY CAN'T -- THEY -- WE --

15 CHAIRMAN EATON: SO AS A RESULT OF WHAT THIS WAS -- THIS WAS
16 SOMETHING I ASKED FOR MANY WEEKS AGO AND THEN IT SHOWED UP YESTERDAY
17 AFTER I WAS IN THE OFFICE TRYING TO GO THROUGH MY PACKET LOOKING --
18 BECAUSE I THINK THAT'S A KEY COMPONENT. IF YOU KNOW WHERE THE PROPOSED
19 RATE WAS AND WHERE YOU'RE GOING, THERE MAY VERY WELL HAVE BEEN A GOOD
20 BASIS FOR NOT BEING ABLE TO DETERMINE SOMETHING AT A CERTAIN POINT IN
21 TIME.

22 BUT WHERE DOES THAT MOVE TO?

23 MEMBER ROBERTI: AND THE MAJOR CONCERN OF YOURS AND MR.
24 JONES' IS THAT HERE THE PROPOSED RATES ARE GOING DOWN --

25 CHAIRMAN EATON: AND IN OTHER CASES THEY'RE GOING UP --

26 (THE PARTIES SIMULTANEOUSLY SPEAK.)

AUDI-X REPORTING

1 MEMBER ROBERTI: -- BUT IN SAN MATEO --

2 CHAIRMAN EATON: -- AND THERE'S NO PROGRAMS --

3 MEMBER ROBERTI: IN SAN MATEO THEY'RE GOING DOWN.

4 CHAIRMAN EATON: CORRECT.

5 MEMBER ROBERTI: WHY ARE THEY GOING -- WHY ARE -- CAN STAFF
6 TELL ME AGAIN WHY THEY'RE GOING DOWN?

7 MR. SCHIAVO: I REALLY CAN'T ANSWER THAT. IT'S A
8 POSSIBILITY IT'S STILL MORE ALLOCATION ERRORS WITHIN THE COUNTY THAT
9 IT'S -- WHILE MAYBE THE '95 GOT CORRECTED OR MAYBE IT'S OVERSTATED, THE
10 '96 MAY BE A PRODUCT OF THAT.

11 AS FAR AS THE PROGRAM IMPLEMENTATION EFFORTS, THEY DID
12 HAVE A NUMBER OF PROGRAMS IMPLEMENTED IN 1995. THEY APPEAR TO BE
13 INCREASING THE PROGRAM IMPLEMENTATION, LIKE MARK EXPRESSED EARLIER --

14 MEMBER ROBERTI: SO THERE HAVE BEEN PROGRAM --

15 MR. SCHIAVO: YEAH.

16 MEMBER ROBERTI: THERE ARE SOME -- THERE'S A GREATER DEGREE
17 OF PROGRAM IMPLEMENTATION THAT YOU COULD POINT TO FOR THE '96 RATE THAN
18 THERE WAS FOR THE '95 RATE?

19 MR. SCHIAVO: I BELIEVE THERE IS. IF YOU --

20 (THE PARTIES SIMULTANEOUSLY SPEAK.)

21 MEMBER ROBERTI: -- GOING DOWN?

22 MR. SCHIAVO: IF NOT GREATER, IT'S AT LEAST EQUAL TO -- THE
23 PRINTOUT I HAVE SHOWS PLAN FOR THE FUTURE AND SOME OF THESE ELEMENTS.
24 AND THEY HAVE SOME ALTERNATIVE PROGRAMS PLANNED.

25 MS. SATTER: THE RESIDENTIAL CURBSIDE GREEN WASTE COLLECTION
26 PROGRAM WAS IMPLEMENTED RECENTLY.

AUDI-X REPORTING

1 AND ALSO SLUDGE DIVERSION, THE COUNTY -- THE CITY IS
2 LOOKING INTO DIVERTING SLUDGE AS ADC (PHON). THAT'S THE MAJOR -- THAT
3 WILL BOOST THEIR DIVERSION RATE.

4 MEMBER ROBERTI: SO THERE ARE PROGRAMS THAT ARE BEING
5 IMPLEMENTED -- THIS IS OFF THE TOP OF MY HEAD BECAUSE I -- I ABSOLUTELY
6 DO NOT BELIEVE THIS IS A -- EVEN ANYTHING APPROACHING A SCIENCE (PHON).

7 I MEAN, IT -- IT IS -- I'M SORT OF PREPARED MYSELF TO
8 ACCEPT THE NUMBERS, AND I COULD BE DEAD WRONG.

9 BUT LIKE I DON'T THINK I'M BEING FLIM-FLAM, BECAUSE
10 YOUR DIVERSION -- YOU'VE -- YOU'RE INCREASING THE NUMBER OF PROGRAMS, AT
11 LEAST, AND YOU DON'T SEEM TO BE FLIM-FLAMMING US BECAUSE YOUR RATE'S
12 GONE DOWN. SO, IF YOU'RE GOING -- IF THE COUNTY'S GOING TO LIVE WITH
13 THESE NUMBERS I GUESS WE OUGHT TO LIVE WITH THE NUMBERS TOO.

14 AND, HAVING SAID THAT, I'LL ATTEST TO THE FACT THAT I
15 HAVE A 95% PREJUDICE THAT THEY'RE DEAD WRONG. BUT I DON'T KNOW HOW TO
16 COME UP WITH ANYTHING THAT'S RIGHTER.

17 SO, I JUST DON'T THINK THERE'S A -- I DON'T -- I DON'T
18 SEE IN THESE NUMBERS AN ATTEMPT TO FLIM-FLAM THE BOARD. AND I GUESS
19 THAT'S THE BEST WE CAN ASK FOR. ESPECIALLY IN THE LIGHT OF WHAT OUR
20 STAFF TELLS US, AND THAT IS THEY HAVE BEEN IMPLEMENTING PROGRAMS AND --
21 IN THE ONE YEAR.

22 I DON'T KNOW --

23 CHAIRMAN EATON: I THINK THERE'S A CORRECTION, THAT THEY
24 PLAN ON IMPLEMENTING THEM.

25 MEMBER ROBERTI: OH.

26 CHAIRMAN EATON: NO, SHE SAID THE SLUDGE HAS NOT BEEN

AUDI-X REPORTING

1 IMPLEMENTED.

2 MS. SATTER: NOT YET.

3 CHAIRMAN EATON: NOT YET. SO DON'T --

4 MEMBER ROBERTI: OKAY, SO WHAT --

5 (THE PARTIES SIMULTANEOUSLY SPEAK.)

6 CHAIRMAN EATON: ARE YOU SAYING YES AND SHE'S SAYING NO?

7 WHICH IS WHICH?

8 MR. WHITE: NO, WHAT I'M SAYING IS EVERYTHING THAT'S ON YOUR

9 PARIS (PHON) REPORT THAT'S A P.F. (PHON) --

10 CHAIRMAN EATON: I WISH I HAD A PARIS REPORT.

11 MR. WHITE: I'M SORRY.

12 CHAIRMAN EATON: OR HOW ABOUT A, YOU KNOW, A ROME REPORT?

13 ANYTHING THAT I COULD DO TO RECONCILE THIS.

14 AND I AGREE WITH THE SENATOR, IF I WANT -- I WILL TAKE

15 IT -- IF ALL OF THESE THAT GO DOWN IN '95, I'LL ACCEPT THEM ALL. BUT

16 IT'S THE ONES THAT ARE GOING UP, IT'S THE REVERSE THAT -- THEY'RE MUCH

17 MORE BOTHERSOME.

18 SO WHAT HAPPENS WHEN YOU COME BACK IN FOR YOUR

19 BIENNIAL REVIEW AND YOU'RE AT 12%, WHAT ARE WE GOING TO DO THEN?

20 MR. WHITE: WELL, WHEN YOU COME BACK IN FOR THE '95-96

21 BIENNIAL REVIEW -- WE HAD THOSE PROGRAMS IN PLACE THAT WE HAD AT THAT

22 TIME, AND WE DID WHAT WE DID, WE REPORTED TO YOU WHAT WE HAD, THOSE WERE

23 THE PROGRAMS THAT WERE BASICALLY OUTLINED IN THE SREE, AND THEY GOT THE

24 RESULTS THAT THEY GOT.

25 ~~OUR RESULTS HAVE DRAMATICALLY IMPROVED SINCE THEN.~~

26 WE'LL HAVE TO DEAL WITH THE BIENNIAL REVIEW AT THAT TIME. WE'RE LOOKING

AUDI-X REPORTING

1 HINDSIGHT, 20/20, EVERY TIME. RIGHT NOW WE'RE DOING PRETTY GOOD 20/20
2 FORESIGHT, I THINK.

3 MEMBER JONES: MR. CHAIRMAN?

4 CHAIRMAN EATON: MR. JONES?

5 MEMBER JONES: I AGREE, I DON'T THINK WE'RE BEING SHIM-
6 SHAMED. I KNOW MARK WHITE. BUT, YOU KNOW, HE -- HE WANTED TO BE NUMBER
7 ONE --

8 CHAIRMAN EATON: WELL, FIRST OFF --

9 MEMBER JONES: -- ON THE AGENDA -- (LAUGHTER) --

10 CHAIRMAN EATON: FIRST OFF, NO ONE IMPLIED THAT --

11 MEMBER JONES: I KNOW, I KNOW --

12 (THE PARTIES SIMULTANEOUSLY SPEAK.)

13 CHAIRMAN EATON: -- THAT WE WERE.

14 MEMBER JONES: I KNOW. IF ANYBODY DID IT WAS ME.

15 CHAIRMAN EATON: BUT I WANT THE BOARD TO UNDERSTAND THAT
16 WHAT'S HAPPENING HERE -- AT SOME POINT IT'S GOING TO COME RIGHT BACK AT
17 OUR DOORSTEP.

18 AND LET THE RECORD REFLECT THAT -- I MEAN, YOU KNOW,
19 TAKE IT AS YOU WANT, BUT I THINK IT'S AN -- IT'S IMPORTANT FOR THE
20 INTEGRITY. AND THAT'S JUST KIND OF WHERE, YOU KNOW, I'VE ALWAYS BEEN IN
21 TERMS OF NUMBERS, AND THAT'S A PREJUDICE OF MINE.

22 BUT IF SOMEONE CAN EXPLAIN TO ME, YOU KNOW, NOT WITH
23 REGARD TO HALF MOON BAY, WHICH SEEMS TO BE GOING DOWN, BUT IN THESE
24 OTHER JURISDICTIONS WHERE YOU CAN MOVE 20, 30, 40% IN DIVERSION AND NOT
25 HAVE A PROGRAM TO GO FOR IT, BOY, I -- I MEAN I JUST, IT'S SMOKE AND
26 MIRRORS, AND I GUESS MAYBE THAT IS REASONABLY ACCURATE.

AUDI-X REPORTING

1 MEMBER JONES: MR. CHAIRMAN, IF -- I DON'T KNOW HOW WE'RE --
2 HOW WE'RE GOING TO DO THIS, BUT SOMEHOW --

3 CHAIRMAN EATON: WELL, I THINK ONE OF THE WAYS IS WE PUT AN
4 ASTERISK NEXT TO EACH OF THESE AND WE JUST SAY THAT, FOR PURPOSES OF
5 WHAT WE'RE DOING HERE, THAT THERE IS NOT, YOU KNOW, I MEAN, SUFFICIENT
6 INFORMATION, OR THAT THE INFORMATION IS SUBMITTED AND THE BOARD IS
7 MAKING A DETERMINATION ONLY AS IT RELATES TO BEING ABLE TO MOVE TO NEXT
8 -- TO THE NEXT LEVEL OF BIENNIAL REVIEW.

9 AND THEN AT THAT POINT WE'LL SEE WHAT THEY HAVE.
10 THEN, IF ALL THE COUNTIES COME IN, OR THEY DON'T COME IN, WE'LL DEAL
11 WITH THEM THAT WAY. THAT SEEMS TO BE THE PROCESS BY WHICH THE STAFF
12 WANTS TO OPERATE.

13 MEMBER JONES: SO ACCEPT THE --

14 CHAIRMAN EATON: NO, NOT ACCEPT --

15 MEMBER JONES: WELL, WAIT. WOULD IT BE YOU DON'T ACCEPT IT
16 OR WE'RE JUST GOING TO HOLD IT IN....

17 BECAUSE, I DON'T HAVE A PROBLEM WITH IF WE ASTERISK
18 THEM TO SAY THAT WE HAVE DEALT WITH THIS BASE-YEAR CHANGE, CORRECTION.
19 AND THEN USE THAT ASTERISK AS PART OF WHEN THESE JURISDICTIONS COME
20 FORWARD FOR BIENNIAL REVIEWS TO LOOK AT NUMBERS AND LOOK AT DIVERSION
21 RATES. SAME CAN BE USED WHEN THEY COME FORWARD FOR AN SUBPOENA 1066
22 EXTENSION, TO GET PROGRAMS DONE. SO THAT WE KNOW THAT THERE HAS BEEN A
23 HISTORY OF -- THESE ARE -- THESE WERE THEIR NUMBERS ORIGINALLY, THEY'VE
24 COME IN AND THEY'VE CHANGED THE NUMBERS.

25 THAT GIVES US AN OPPORTUNITY, I THINK, TO TAKE THE
26 EXERCISE -- I MEAN, WORKING ON THESE REGIONALIZED AREAS AND SEEING IF WE

AUDI-X REPORTING

1 CAN GET TO SOMETHING THAT'S -- NOT -- IT'S NEVER GOING TO BE EXACT, BUT
2 IT CAN BE A LOT CLOSER THAN WHAT WE'VE SEEN.

3 I MEAN --

4 CHAIRMAN EATON: NO. BUT THEY HAVE TO BE DEFENSIBLE.

5 MEMBER JONES: THEY HAVE TO BE DEFENSIBLE, EXACTLY.

6 CHAIRMAN EATON: I MEAN, AT SOME POINT THEY HAVE TO BE
7 DEFENSIBLE.

8 MEMBER JONES: RIGHT.

9 CHAIRMAN EATON: WELL --

10 MEMBER JONES: MR. EATON, YOU WEREN'T HERE.

11 BUT WHEN WE WENT --

12 CHAIRMAN EATON: AND I'M GLAD.

13 MEMBER JONES: -- THROUGH THIS THING -- I KNOW. WHEN WE DID
14 THIS THING -- FIRST -- FIRST WHEN WE DID THIS THING IT WAS PORTRAYED
15 THAT THIS WAS OUR FAULT. THAT THESE --

16 CHAIRMAN EATON: IT STILL IS.

17 MEMBER JONES: -- NUMBERS WERE SCREWED UP --

18 CHAIRMAN EATON: IT STILL IS.

19 MEMBER JONES: -- BECAUSE OF THE LAW CHANGE.

20 CHAIRMAN EATON: AND WE'RE BEING BLAMED FOR NOT DOING THE
21 BIENNIAL REPORTS.

22 MEMBER JONES: RIGHT. AND THEN IT WAS --

23 CHAIRMAN EATON: AND THAT'S NOT TRUE, AS WELL.

24 MEMBER JONES: AND THEN IT WAS PORTRAYED THAT SOME OF THE
25 CALCULATIONS FOR DETERMINING TONNAGES MAY HAVE BEEN WRONG.

26 THERE WERE JURISDICTIONS THAT IN A FRONT-LOADER --

AUDI-X REPORTING

1 OKAY? -- DOING RESIDENTIAL WASTE? -- MADE AN EQUATION THAT A YARD OF
2 WASTE WEIGHED A HUNDRED POUNDS, COMPACTED. AND THAT;'S HOW THEY GOT TO
3 THEIR NUMBER. WE'VE SEEN 'EM. AND THERE'S NOBODY IN THIS ROOM, I DON'T
4 THINK, THAT DOESN'T UNDERSTAND THAT A YARD OF LOOSE WASTE WEIGHS 272
5 POUNDS. SO HOW THE HELL YOU CAN COMPACT IT AND COME OUT WITH A HUNDRED
6 POUNDS IS A DISSERVICE TO THE CITIES ADN COUNTIES, AND COMMUNITIES WHERE
7 THOSE NUMBERS WERE USED.

8 AND NOW WE'RE BEING ASKED TO RECONCILE THOSE. BUT
9 IT'S THE BACK-UP....

10 YOU KNOW, WHAT I OFFERED THAT DAY A YEAR AND A HALF OR
11 TWO YEARS AGO? I SAID SHOW US YOUR EQUATIONS. IF YOU'VE GOT A FLEET OF
12 AMREPS (PHON), AND THIS WAS YOUR EVALUATION, AND YOU CAN'T FIGURE IT OUT
13 THEN BRING IT TO US AND WE'LL FIGURE IT OUT. BECAUSE THEN AT LEAST
14 WE'VE GOT A LINKAGE AS TO WHERE THE MISTAKE WAS AND WHERE THE TONNAGE
15 SHOULD GO.

16 SO, I KNOW WHAT YOU'RE SAYING ABOUT DOCUMENTING THIS,
17 YOU KNOW, MORE SO THAN WE ARE.

18 I THINK STAFF IS GETTING ALL THE INFORMATION THEY CAN
19 GET. BUT I THINK WE NEED TO LOOK AT THIS THING FROM A STANDPOINT....

20 WHEN I SEE -- I'M SORRY, BUT WHEN I SEE 21 POUNDS PER
21 PERSON PER DAY IN A RESIDENTIAL COMMUNITY, THAT'S EVERY CHILD -- YOU
22 KNOW, MAN, WOMAN AND CHILD, 21 POUNDS A DAY IN A RESIDENTIAL COMMUNITY.

23 CHAIRMAN EATON: OF 2,000 PEOPLE.

24 MEMBER JONES: YOU KNOW, IT AIN'T GOING TO WORK. THAT'S NOT
25 A THAT'S NOT AN INDICATOR TO ME THAT THAT CAN WORK.

26 SO, WHY DON'T WE -- IF YOU DON'T WANT -- I DON'T KNOW

AUDI-X REPORTING

1 HOW LONG YOU WANT TO GO. I'D LIKE FOR US TO BE ABLE TO THINK ABOUT THIS
2 OVER LUNCH AND THEN COME UP WITH A RESOLUTION AS TO WHAT WE MAY BE ABLE
3 TO DO RATHER THAN JUMP ON THIS THING RIGHT NOW AND GIVE IT A TERMINATION
4 ON HALF MOON BAY. IF THAT'S REASONABLE?

5 CHAIRMAN EATON: THAT'S FINE. SO WHAT TIME, 1:30?

6 MEMBER JONES: YEAH, THAT'S FINE WITH ME.

7 CHAIRMAN EATON: OKAY. WE'LL RECESS TILL 1:30. WE'LL BE
8 BACK AT QUARTER-TO, AND THEN WE'LL START RIGHT INTO THE -- TO PROBABLY
9 THE PUBLIC MEETING AT THAT POINT. WE'RE BACK AT 1:45.

10 (WHEREUPON, THE LUNCHEON RECESS WAS TAKEN UNTIL 2:00 O'CLOCK
11 P.M.)

12 - - - -

13

AUDI-X REPORTING

1 AFTERNOON SESSION

2:00 O'CLOCK P.M.

2 -- oOo --

3 CHAIRMAN EATON: TWO O'CLOCK HAVING ARISEN, WE HAVE HAD A --
 4 PRESCHEDULED A WASTE TIRE HEARING, THAT WAS ITEM C, THAT WAS SCHEDULED
 5 FOR TWO O'CLOCK WHICH WE WILL GO INTO NOW. AND IN THE PROCESS WE WILL
 6 THEN RETURN TO OUR REGULAR BUSINESS AGENDA WITH ITEM 1 AND WE WILL HAVE
 7 SOME DISCUSSION ON THE BOARD'S ACTIONS THERE.

8 SO, HAVING SAID THAT, IF I CAN JUST ASK, FIRST AND
 9 FOREMOST, HAVE ANY OF OUR MEMBERS HAD ANY EX PARTE COMMUNICATIONS THAT
 10 NEED TO BE DISCLOSED?

11 MEMBER PENNINGTON: NOT I, MR. CHAIRMAN. THANK YOU.

12 MEMBER JONES: MR. CHAIRMAN, JUST A QUICK ONE WITH DAVE ALT
 13 (PHON) ON HOW WASTE FLOWS.

14 CHAIRMAN EATON: OKAY.

15 MEMBER ROBERTI: I SPOKE TO MR. SCOTT JOHNSTON (PHON) OF
 16 MERCED COUNTY REGARDING KIEFER AND A POTENTIAL MERCED COUNTY LANDFILL
 17 BEFORE US.

18 CHAIRMAN EATON: AND I HAVE NONE.

19 V. CONTINUED BUSINESS AGENDA ITEMS (RESUMED)

20 AGENDA ITEM C: PUBLIC HEARING FOR THE CONSIDERATION OF REVOCATION
 21 OF THE MINOR WASTE TIRE FACILITY PROGRAM PERMIT ISSUED TO ECONOMY TIRE
 22 SERVICE, STANISLAUS COUNTY

23 CHAIRMAN EATON: NOW MOVE TO ITEM C, WHICH IS A PUBLIC
 24 HEARING FOR CONSIDERATION OF REVOCATION OF A MINOR WASTE TIRE FACILITY
 25 PERMIT FOR ECONOMY TIRE SERVICE.

26 THIS HEARING WAS NOTICED, AND HAD BEGUN ON APRIL 27TH,

AUDI-X REPORTING

1 1999, AND IT WAS CONTINUED BY BOARD ACTION TO AFFORD THE RESPONDENT,
2 SIXTO PORRAS, AN OPPORTUNITY TO PROVIDE THE BOARD WITH SOME ADDITIONAL
3 EVIDENCE CLAIMED FOR DEFENSE IN THIS MATTER. THE RECORD REMAINED OPEN
4 AND FURTHER EVIDENCE WILL NOW BE PRESENTED TO THE BOARD.

5 ANY WITNESS WHO WISHES TO TESTIFY WILL BE SWORN IN BY
6 THE COURT REPORTER.

7 FOR PURPOSES OF THIS HEARING WILL THE SECRETARY PLEASE
8 CALL THE ROLL?

9 THE SECRETARY: BOARD MEMBERS JONES?

10 MEMBER JONES: HERE.

11 THE SECRETARY: PENNINGTON?

12 MEMBER PENNINGTON: HERE.

13 THE SECRETARY: ROBERTI?

14 MEMBER ROBERTI: HERE.

15 THE SECRETARY: CHAIRMAN EATON?

16 CHAIRMAN EATON: HERE.

17 JUST IN TERMS OF PROPER NOTICE, I'M GOING TO TAKE A
18 FEW MINUTES TO EXPLAIN HOW WE WILL PROCEED. WE WILL FIRST HAVE ALL THE
19 WITNESSES WHO ARE GOING TO TESTIFY, LISTED IN AGENDA ITEM C, BE SWORN IN
20 BY THE COURT REPORTER.

21 SECOND, THE BOARD'S LEGAL COUNSEL WILL GIVE A
22 DESCRIPTION OF THE FRAMEWORK BY WHICH WE WILL CONDUCT THE HEARING,
23 INCLUDING ALL THE STATUTES AND REGULATIONS, AND A REVIEW OF THE
24 PROCEDURES AND ISSUES TO BE DECIDED.

25 THE BOARD WILL THEN MAKE ITS STAFF PRESENTATION
26 REGARDING THE ADDITIONAL INFORMATION THAT WAS REQUESTED DURING THE APRIL

AUDI-X REPORTING

1 27TH, 1999, HEARING, INCLUDING REQUIREMENTS, NON-COMPLIANCE, AND
2 RECOMMENDATIONS. THEN THE ECONOMY TIRE SERVICE WILL BE ALLOWED TO MAKE
3 ITS PRESENTATION TO THE BOARD, AND THEN THE BOARD STAFF MAY MAKE ITS
4 REBUTTAL ARGUMENTS, IF ANY. AND WE WILL THEN DECIDE THE MATTER.

5 SO IF I COULD JUST HAVE THE WITNESSES PLEASE STAND
6 WHERE THEY ARE, AND HAVE THE COURT REPORTER SWEAR THEM IN?

7 WHEREUPON,

8 ALL PERSONS WHO SHALL TESTIFY IN THE PUBLIC
9 HEARING FOR CONSIDERATION OF AGENDA ITEM C

10 WERE DULY SWORN, AND DID TESTIFY AS FOLLOWS:

11 CHAIRMAN EATON: OKAY. I NOTICED JUST THREE. SO WE CAN
12 BEGIN WITH MS. SMALL. KIND OF GIVE US A BRIEF OVERVIEW IF YOU CAN,
13 WE'VE GOT A LONG AGENDA.

14 MS. SMALL: GOOD AFTERNOON BOARD MEMBERS, CHAIRMAN EATON,
15 AND MR. SIXTO PORRAS. THIS AFTERNOON IS A CONTINUATION OF THE HEARING
16 THAT THE BOARD HAD BEGUN LAST MONTH TO AFFORD MR. PORRAS AN OPPORTUNITY
17 TO PRESENT ADDITIONAL EVIDENCE.

18 AS A BRIEF REVIEW, THIS MATTER IS BEING BROUGHT UNDER
19 PUBLIC RESOURCES CODE SECTION 42842, WHICH PROVIDES THE BASIS FOR
20 REVOCATION OR SUSPENSION OF A WASTE TIRE PERMIT THAT'S BEEN ISSUED BY
21 THE BOARD. THAT PARTICULAR STATUTE IS INCLUDED AS AN ATTACHMENT TO THE
22 BOARD ITEM AS EXHIBIT 1. AND IF ANYONE NEEDS ADDITIONAL COPIES OF THAT,
23 THAT IS IN THE BACK OF THE ROOM. VERY BRIEFLY, ALL OF THE CONDITIONS
24 HAVE TO DO WITH VIOLATIONS OF THE STATUTE, OR AIDING AND ABETTING
25 VIOLATIONS OF THE PERMITTING STATUTE.

26 AT THIS TIME I WOULD LIKE TO ENTER INTO EVIDENCE

AUDI-X REPORTING

1 VARIOUS DOCUMENTS THAT HAVE BEEN PROVIDED TO THE BOARD BY MR. PORRAS IN
2 REGARD TO INFORMATION THEY HAD REQUESTED.

3 FOR THE RECORD THERE ARE WASTE TIRE MANIFESTS
4 DOCUMENTING REMOVAL OF TIRES FROM HIS SITE TO GOLDEN BY PRODUCTS. EACH
5 MANIFEST IS TO GOLDEN BY PRODUCTS. AND JUST FOR THE RECORD, THE NUMBERS
6 ON THOSE MANIFESTS ARE AS FOLLOWS: 348082, 348207, 348292, 679608,
7 679619, 679643 AND THE REST ARE THREE-DIGIT NUMBERS WHICH ARE 121, 184,
8 203, 254, 372, 468, 505, AND 538, 538 HAS BEEN PROVIDED TO THE BOARD
9 MEMBERS AND IS AVAILABLE SEPARATELY IN THE BACK OF THE ROOM, AS MR.
10 PORRAS JUST BROUGHT THAT IN TODAY.

11 WHEREUPON,

12 KEITH E. CAMBRIDGE,

13 HAVING BEEN PREVIOUSLY DULY SWORN, DID TESTIFY AS FOLLOWS:

14 MS. SMALL: AT THIS TIME, MR. CAMBRIDGE, I'D LIKE TO ASK
15 YOU, ARE YOU FAMILIAR WITH THESE MANIFESTS?

16 MR. CAMBRIDGE: YES, I AM.

17 MS. SMALL: AND WHERE DID YOU OBTAIN THEM?

18 MR. CAMBRIDGE: FROM ECONOMY TIRE SERVICE.

19 MS. SMALL: AND HAVE YOU HAD AN OPPORTUNITY TO REVIEW THE
20 ONES THAT I HAVE JUST NOW GIVEN TO THE COURT REPORTER?

21 MR. CAMBRIDGE: YES, I HAVE.

22 MS. SMALL: AND ARE THOSE THE ACCURATE ORIGINALS THAT YOU
23 OBTAINED FROM MR. PORRAS?

24 MR. CAMBRIDGE: YES, THEY ARE.

25 MS. SMALL: THANK YOU.

26 AT THIS POINT, IF THERE'S NO OBJECTION, I'D LIKE TO

AUDI-X REPORTING

1 PUT THOSE INTO THE RECORD.

2 CHAIRMAN EATON: HEARING NO OBJECTION, SO SHALL BE ORDERED.

3 (WHEREUPON, AGENDA ITEM C AGENCY

4 EXHIBIT NO. [NOT INDICATED] WAS

5 RECEIVED INTO EVIDENCE.)

6 MS. SMALL: THE NEXT DOCUMENT WHICH I WOULD LIKE TO PUT INTO
7 THE RECORD IS THE ORIGINAL OF THE SITE VISIT REPORT REGARDING THE VISIT
8 THAT MR. CAMBRIDGE DID, ACCORDING TO THE BOARD'S REQUEST, ON MAY 3,
9 1999. A COPY OF THIS DOCUMENT IS AVAILABLE IN THE BACK OF THE ROOM AND
10 HAS ALREADY BEEN SUPPLIED TO THE BOARD MEMBERS.

11 GO AHEAD AND MARK THAT.

12 (WHEREUPON, AGENDA ITEM C AGENCY

13 EXHIBIT NO. [NOT INDICATED] WAS

14 MARKED FOR IDENTIFICATION.)

15 MS. SMALL: MR. CAMBRIDGE, THE DOCUMENT THAT I'VE JUST
16 HANDED TO THE COURT REPORTER, ARE YOU FAMILIAR WITH IT?

17 MR. CAMBRIDGE: YES, I AM.

18 MS. SMALL: AND DID YOU PREPARE THAT DOCUMENT?

19 MR. CAMBRIDGE: YES, I DID.

20 MS. SMALL: AND IS THE INFORMATION REFLECTED IN THAT
21 DOCUMENT TRUE AND CORRECT?

22 MR. CAMBRIDGE: YES, IT IS.

23 MS. SMALL: IF THERE'S NO OBJECTION I'D LIKE TO HAVE THAT
24 ENTERED INTO THE RECORD AS WELL.

25 (WHEREUPON, AGENDA ITEM C AGENCY

26 EXHIBIT NO. [NOT INDICATED] WAS

AUDI-X REPORTING

1 RECEIVED INTO EVIDENCE.)

2 MS. SMALL: AT THIS TIME, FOR BREVITY, I WOULD JUST LIKE TO
3 HAVE MR. CAMBRIDGE EXPLAIN WHAT HE OBSERVED AND THE RESULTS OF HIS
4 INVESTIGATION, WHICH OCCURRED ON MAY 3, 1999.

5 MR. CAMBRIDGE: MR. CHAIRMAN, MEMBERS OF THE BOARD, PURSUANT
6 TO YOUR REQUEST AT THE LAST BOARD MEETING WE CONDUCTED AN INSPECTION, OR
7 A SITE VISIT, OF ECONOMY TIRE ON MAY 3RD, 1999, TO REVIEW THE RECORDS
8 AND DOCUMENTS SHOWING WASTE TIRES EITHER COMING INTO THE FACILITY OR
9 LEAVING THE FACILITY.

10 AT THE TIME OF MY VISIT ON MAY 3RD, 1999, THE OPERATOR
11 WAS UNABLE TO SHOW ANY MANIFESTS OR INVOICES FOR PAST WASTE TIRES
12 ENTERING THE SITE. THERE'S NO DOCUMENTATION OF -- SUCH AS INVOICES OR A
13 MANIFEST FOR THIS.

14 DURING MY INTERVIEW WITH MR. PORRAS IT WAS REVEALED
15 THAT MR. PORRAS PICKS UP WASTE TIRES FROM ONLY ONE TIRE DEALERSHIP, AND
16 THAT'S CITY TIRES, LOCATED IN MODESTO, CALIFORNIA.

17 MR. PORRAS STATED THAT THE QUANTITY OF WASTE TIRES
18 COLLECTED AT THIS SITE CAN VARY FROM ONE LOAD PER WEEK DURING THE
19 WINTERTIME TO TWO LOADS PER WEEK DURING THE SUMMERTIME, BUT ON A AVERAGE
20 ABOUT ONE LOAD PER WEEK, EACH LOAD CONSISTING OF APPROXIMATELY 250 TO
21 300 WASTE TIRES.

22 MR. PORRAS FURTHER ADDED THAT THE ACCEPTANCE OF THE
23 CITY TIRES WASTE TIRE INVENTORY HAS BEEN OCCURRING FOR THE PAST ONE AND
24 A HALF TO TWO YEARS.

25 MR. PORRAS STATED THAT EACH LOAD IS APPROXIMATELY 50%
26 GOOD, REUSABLE TIRES, AND 50% JUNK TIRES. HOWEVER, THE OPERATOR PAYS

AUDI-X REPORTING

1 NOTHING FOR THESE TIRES, NOR DOES HE CHARGE THE TIRE DEALERSHIP.

2 SINCE THE OPERATOR HAS BECOME A REGISTERED WASTE TIRE
3 HAULER, IN MARCH, 1999, HE HAS USED ONE MANIFEST DOCUMENTING THE REMOVAL
4 OF TIRES FROM CITY TIRES FROM THAT DATE.

5 AFTER THE INTERVIEW WITH MR. PORRAS I THEN WENT TO
6 CITY TIRES, WHICH HAPPENED TO BE CLOSED ON MONDAYS AND -- DURING THE
7 DAYTIME, AND I LEFT A BUSINESS CARD WITH AN EMPLOYEE WHO WORKED AT THE
8 AUTO DETAILING SHOP FOR THE TIRE DEALERSHIP. I REQUESTED THE MANAGER,
9 MR. CRAIG POWELL (PHON) TO CONTACT ME WHEN HE CAME BACK ON TUESDAY.

10 ON MAY 5TH, 1999, I SPOKE TO MR. POWELL, THE PRESIDENT
11 OF CITY TIRES, AND QUESTIONED MR. POWELL CONCERNING THE DISPOSAL OF HIS
12 OWN WASTE TIRES. MR. POWELL CONFIRMED THAT HIS WASTE TIRES ARE SHIPPED
13 TO ECONOMY TIRE AT AN APPROXIMATE RATE OF 250 TO 300 WASTE TIRES PER
14 WEEK, AND MR. POWELL STATED THAT THERE IS NO INVOICES DOCUMENTING THIS
15 TRANSACTION AS THERE IS NO MONEY EXCHANGED.

16 THE ONLY DISCREPANCY NOTED DURING THE PHONE INTERVIEW
17 WITH MR. POWELL WAS THAT CITY TIRES ACTUALLY LOADED THEIR OWN VEHICLE
18 AND MR. PORRAS CAME TO THE SITE, DROVE THE VEHICLE BACK TO ECONOMY TIRE,
19 UNLOADED THE TIRES, AND THEN DROVE THIS VEHICLE BACK TO CITY TIRES.

20 MR. POWELL WAS ADVISED OF THE REGISTERED WASTE TIRE
21 HAULER AND MANIFESTING REQUIREMENTS.

22 SO, BASICALLY, IN A NUTSHELL, THERE WAS MANIFESTS
23 DOCUMENTING TIRES LEAVING THE SITE, HOWEVER, THERE WAS NO DOCUMENTATION
24 OF TIRES ENTERING THE ECONOMY TIRE.

25 MS. SMALL: MR. CAMBRIDGE, BASED ON YOUR ESTIMATE OF THE
26 AMOUNT OF TIRES THAT WERE ON THE SITE AT YOUR LAST VISIT PREVIOUS TO

AUDI-X REPORTING

1 THIS REVOCATION HEARING, DOES THE MANIFEST DOCUMENT THAT ALL THOSE OVER
2 5,000, OR APPROXIMATELY ALL THOSE OVER 5,000 HAVE BEEN REMOVED FROM THE
3 SITE?

4 MR. CAMBRIDGE: YES.

5 CHAIRMAN EATON: ANY QUESTIONS?

6 MEMBER JONES: JUST ONE.

7 YOU SAID THAT THERE WAS A MANIFEST AFTER HE BECAME A
8 LEGAL TIRE HAULER?

9 MR. CAMBRIDGE: THAT'S CORRECT. MR. PORRAS HAS STATED THAT
10 WHEN HE BECAME A REGISTERED WASTE TIRE HAULER IN MARCH THIS YEAR -- AS A
11 NORMAL PROCEDURE WE SEND A COPY OF A MANIFEST TO HIM, APPARENTLY THIS
12 WAS NOT DONE ACCORDING TO MR. PORRAS. SO, SINCE THE LAST BOARD MEETING
13 I GAVE HIM A BOOKLET OF MANIFESTS, SO HE'S THEN SHIPPED THEM UNDER
14 MANIFEST.

15 MEMBER JONES: OKAY.

16 CHAIRMAN EATON: MR. JONES?

17 MEMBER JONES: I THINK WE SENT HIM OUT TO -- NO, THAT'S A --
18 GO AHEAD.

19 CHAIRMAN EATON: MR. PORRAS, WELCOME BACK.

20 MR. PORRAS: THANK YOU. YEAH, I HAVE PROBABLY -- I DON'T
21 HAVE -- I RIGHT NOW I'M -- ALL THE TIRES ARE OUT AND EVERYTHING, AND I
22 HAVE A EMPTY TRAILER THERE RIGHT NOW READY TO RECEIVE WHATEVER
23 DISPOSABLE TIRES I RECEIVE. AND AS SOON AS IT'S FULL I'M GOING TO MOVE
24 IT BACK OUT.

25 MEMBER ROBERTI: MR. CHAIRMAN.

26 CHAIRMAN EATON: SENATOR ROBERTI? I'M SORRY.

AUDI-X REPORTING

1 MEMBER ROBERTI: ON THIS CASE I'M WONDERING IF WE -- MY OWN
2 THOUGHT IS WE OUGHT TO CRAFT SOMETHING WHICH PUTS MR. PORRAS UNDER TIGHT
3 SUPERVISION. AND IF THERE IS ANY -- IF THERE'S ONE RECURRING BREACH
4 THEN STAFF SHOULD COME BACK TO US, AT WHICH POINT I WOULD VOTE TO REVOKE
5 HIS LICENSE.

6 I'M A LITTLE BIT CONCERNED TO DO THAT NOW BECAUSE WE -
7 - I MEAN, IN MY OWN MINE, WE DON'T -- WE DON'T KNOW THE MOTIVATION FOR
8 STACKING THE TIRES. IT COULD HAVE BEEN THAT THIS IS THE ONLY WAY HE
9 THINKS HE'S GOING TO SURVIVE IN BUSINESS AND HE DIDN'T -- HE DIDN'T KNOW
10 OF ANYBODY WHO WAS GOING TO TAKE THE TIRES AWAY.

11 THAT BEING THE CASE, THAT MR. PORRAS' ACTIONS BE UNDER
12 PROBATION, TIGHTLY SUPERVISED FOR THE COMING YEAR. AND IF THERE IS ANY
13 VIOLATION, THAT THE STAFF WOULD REPORT BACK TO US FOR PURPOSES OF
14 REVOCATION.

15 I DON'T KNOW IF THAT IS PROPER OR LEGALLY-CRAFTED, BUT
16 --

17 CHAIRMAN EATON: PERHAPS MAYBE WE SHOULD FIND OUT FROM
18 COUNSEL WHAT OPTIONS WE HAVE, IN THE SENSE OF DO WE HAVE TO GO AHEAD AND
19 TAKE AN ACTION TO EITHER SUSPEND OR REVOKE, AND THEN SUSPEND THAT
20 ACTION, OR CAN WE JUST GO AHEAD AND TAKE THE ACTION, AND THEN MAKE IT AS
21 A CONDITION OF NO FURTHER OCCURRENCES WITHIN A SET TIME FRAME THAT'S
22 REASONABLE AND FORTHCOMING. AND, SO...?

23 MS. SMALL: I BELIEVE UNDER THE STATUTE AS IT'S WORDED YOU
24 ARE NOT REQUIRED TO TAKE ANY ACTION AT THIS POINT SINCE IT IS THE
25 BOARD'S REQUEST FOR THIS HEARING. SO YOU COULD SUSPEND IT IF YOU CHOSE
26 TO DO SO.

AUDI-X REPORTING

1 AS FAR AS --

2 MEMBER ROBERTI: SUSPEND?

3 MS. SMALL: SUSPEND TAKING AN ACTION. IN OTHER WORDS, NOT
4 VOTE ON IT AT THIS TIME. THAT WAS PERFECTLY PERMISSIBLE UNDER THE
5 STATUTE AS IT'S WRITTEN.

6 AS FAR AS CONDITIONING THE PERMIT, THIS IS NOT AN
7 APPROPRIATE VEHICLE FOR THAT, THIS IS MERELY A REVOCATION OR SUSPENSION
8 STATUTE THAT WE'RE TALKING ABOUT, AND THAT'S THE ONLY WAY THIS HAS BEEN
9 NOTICED.

10 HOWEVER, THERE IS NOTHING PREVENTING THE BOARD FROM
11 DIRECTING STAFF TO MAKE MONTHLY VISITS TO THE SITE, AND DIRECTING STAFF
12 THAT IF THERE IS ANY VIOLATION THAT THEY SHALL COME BACK TO THE BOARD
13 WITHIN THE NOTICEABLE TIME OF THAT VIOLATION FOR YOU TO TAKE ANY ACTION
14 THAT YOU FEEL APPROPRIATE AT THAT TIME.

15 MEMBER ROBERTI: THE MINIMUM NOTICE AT THE TIME.

16 MS. SMALL: CORRECT.

17 MEMBER ROBERTI: YEAH.

18 CHAIRMAN EATON: WOULD THAT MEAN THAT WE WOULD HAVE TO GO
19 THROUGH THE WHOLE NOTICING PROCESS, AS WE DID FOR THIS HEARING, IN TERMS
20 OF IT....

21 LET'S SAY, HYPOTHETICALLY, THAT IF WE SET A TIME FRAME
22 OF MONTHLY VISITS -- AND THIS IS NOT IN ANY WAY I'M TRYING TO FRAME IT -
23 - BUT LET'S SAY THE NEXT SIX MONTHS -- WHICH SEEMS TO BE A
24 REASONABLE.... AND IN THE FIFTH MONTH THERE IS SOME SERIOUS PROBLEMS AT
25 THE SITE ONCE AGAIN.

26 MS. SMALL: UM-HUM?

AUDI-X REPORTING

1 CHAIRMAN EATON: THEN THE PROCESS THEN BY WHICH MR.
2 CAMBRIDGE, OR SOMEONE ELSE FROM THE STAFF, COULD COME BACK, IS THAT IN
3 THE NEXT BOARD MEETING OR WOULD WE HAVE TO GO THROUGH THE -- YOU KNOW,
4 THE NOTICE, WHICH WOULD BE PROBABLY SOMEWHERE BETWEEN 45 AND 60 DAYS?

5 MS. SMALL: THE NOTICE, UNDER AB 59, FOR TIRES IS
6 APPROXIMATELY 35 DAYS. AND I THINK IT WOULD BE MOST APPROPRIATE TO DO
7 THAT, TO GIVE HIM A PROPER NOTICE. IF YOU TAKE AN ACTION TODAY.

8 IF YOU SUSPEND THE ACTION AND ARE CONTINUING THE
9 HEARING, THEN IT WOULD DEPEND UPON HOW YOU WANTED TO CRAFT THAT.

10 CHAIRMAN EATON: THAT'S MY QUESTION. IN OTHER WORDS, IF WE
11 CEASE THE HEARING TODAY THEN YOU HAVE THE 35-DAY NOTICE.

12 MS. SMALL: ACTUALLY, NO. IF YOU CEASE THE HEARING TODAY
13 THEN IT WOULD PROBABLY -- THEN MY BEST SUGGESTION WOULD BE TO SAY
14 CONTINUING THIS FROM MONTH TO MONTH, GIVING HIM NOTICE THAT IT'S NOT
15 HAPPENING. THAT WAY HE'S ON NOTICE CONSTANTLY.

16 IF YOU TAKE YOUR ACTION TODAY THEN, IF WE DISCOVER A
17 VIOLATION, WE WOULD HAVE TO DO THE 35-DAY NOTICE BECAUSE YOU HAD
18 TERMINATED THIS HEARING PROCESS.

19 CHAIRMAN EATON: I THINK THAT'S WHAT WE'RE SAYING. I'M
20 SAYING ONE WOULD BE TERMINATING THE PROCESS IN BY WHICH WE START THE
21 CLOCK ALL OVER AGAIN.

22 MS. SMALL: UM-HUM.

23 CHAIRMAN EATON: AND THAT CLOCK IS --

24 MS. SMALL: THIRTY-FIVE DAYS.

25 CHAIRMAN EATON: 35 DAYS.

26 BUT, IF WE CONTINUE IT AT A MONTH-TO-MONTH BASIS THEN

AUDI-X REPORTING

1 THE CLOCK COULD BE LESS THAN 35 DAYS.

2 MS. SMALL: CORRECT.

3 (THE PARTIES SIMULTANEOUSLY SPEAK.)

4 MEMBER ROBERTI: YEAH, THAT'S FINE WITH ME.

5 ONE OTHER POINT IS --

6 CHAIRMAN EATON: I'M JUST TRYING TO LAY OUT THE OPTIONS --

7 (THE PARTIES SIMULTANEOUSLY SPEAK.)

8 MEMBER ROBERTI: YEAH, THAT'S VERY FINE. THAT'S -- WELL,
9 THAT'S SIX MONTHS, 35-DAY NOTICE EVEN ON THE SIX-MONTH HE WOULD HAVE 35-
10 DAY NOTICE.

11 THE ONLY THING I WOULD LIKE TO ADD IS THAT IT BE AN
12 INDETERMINATE NUMBER OF VISITS FOR THE NEXT SIX MONTHS. BECAUSE, MR.
13 PORRAS IS A VERY NICE MAN, BUT I'M SURE HE'S VERY SMART, AND STARTS
14 FIGURING, WELL, THEY'LL BE HERE THE 15TH OF EVERY MONTH. WELL, I'M SURE
15 WE ALL UNDERSTAND THAT THAT WOULDN'T BE TOO SMART FROM OUR POINT OF
16 VIEW.

17 CHAIRMAN EATON: IF I COULD JUST GET SOME CLARIFICATION.
18 THEN WHAT I'M HEARING YOU SAY IS THAT YOU DO NOT WANT TO END THE
19 HEARING, YOU JUST WANT TO CONTINUING IT, ONGOING, WHICH THEN PROVIDES
20 YOU LESS -- OR YOU -- OR, THE OPTION IS, IS THAT IF TERMINATE THE
21 HEARING THEN HE GETS THE 35 DAYS' NOTICE?

22 MEMBER ROBERTI: I DON'T MIND --

23 CHAIRMAN EATON: AND I'M JUST --

24 MEMBER ROBERTI: I DON'T MIND TERMINATING THE HEARING AS
25 LONG AS WE CAN DO SOMETHING WITHIN 35 DAYS.

26 CHAIRMAN EATON: OKAY.

AUDI-X REPORTING

1 MEMBER ROBERTI: BECAUSE WE ALWAYS -- WE INVARIABLY WILL
2 MEET WITH 35 DAYS --

3 CHAIRMAN EATON: ABSOLUTELY.

4 ANYONE ELSE, ANY COMMENTS? MR. PENNINGTON, MR. JONES?

5 MEMBER PENNINGTON: MR. CHAIRMAN, THAT SEEMS TO BE
6 REASONABLE TO ME. I WOULD BE -- SUPPORT THE 60-DAY MORATORIUM, IF YOU
7 WILL. AND WITH INDETERMINATE AMOUNTS OF VISITS.

8 MEMBER ROBERTI: I THOUGHT IT WAS SIX MONTHS.

9 MEMBER PENNINGTON: WHAT'D I SAY?

10 MEMBER ROBERTI: SIXTY DAYS.

11 CHAIRMAN EATON: SIXTY DAYS.

12 MEMBER PENNINGTON: WELL, SOME DAYS SEEM LIKE A MONTH --

13 (THE PARTIES SIMULTANEOUSLY SPEAK.)

14 CHAIRMAN EATON: ABSOLUTELY.

15 MEMBER PENNINGTON: YEAH, SIX MONTHS.

16 CHAIRMAN EATON: THE SIX-MONTH TIME FRAME I THINK --

17 MEMBER PENNINGTON: SO I WOULD -- I WOULD SECOND SENATOR
18 ROBERTI'S MOTION.

19 CHAIRMAN EATON: OKAY. MR. JONES, COMMENT?

20 MEMBER JONES: THAT WORKS FOR ME.

21 CHAIRMAN EATON: MS. SMALL? ABSOLUTELY.

22 MS. SMALL: IF I MAY STATE WHAT I BELIEVE THE BOARD'S INTENT
23 IS?

24 CHAIRMAN EATON: WE'RE HAVING A DISCUSSION HERE SO YOU'RE
25 FREE TO

26 MS. SMALL: WHAT I BELIEVE I'M HEARING FROM THE BOARD

AUDI-X REPORTING

1 MEMBERS IS, AT THIS TIME YOU WOULD CHOOSE NOT TO REVOKE THE PERMIT OR
2 SUSPEND IT, BUT TO KEEP IT IN PLACE. AND TO DIRECT STAFF TO DO
3 UNDETERMINED AMOUNT OR TIMED INSPECTIONS WITHIN THE NEXT SIX MONTHS,
4 NOTICING IMMEDIATELY A HEARING FOR REVOCATION IF A VIOLATION IS NOTED.

5 MEMBER JONES: YES, THAT WORKS FOR ME.

6 CHAIRMAN EATON: YES. OKAY.

7 NOW, MR. PORRAS, LET ME ASK YOU. HAVING HEARD THAT,
8 AND HAVING BEEN SOMEWHAT PART OF THE DISCUSSION IN THERE, DO YOU
9 UNDERSTAND WHAT WE'RE TALKING ABOUT?

10 MR. PORRAS: YEAH.

11 CHAIRMAN EATON: WOULD YOU LIKE ME TO KIND OF GO OVER, JUST
12 IN --

13 MR. PORRAS: I UNDERSTAND.

14 CHAIRMAN EATON: -- NOT -- BECAUSE I BELIEVE IT -- BECAUSE
15 IT IS A LEGAL PROCEEDING AND I THINK, YOU KNOW, YOU ARE REPRESENTING
16 YOURSELF --

17 MR. PORRAS: NO, I UNDERSTAND.

18 CHAIRMAN EATON: -- AND THAT WE WILL NOT -- THE ACTION TODAY
19 WILL NOT BE TO SUSPEND OR REVOKE YOUR LICENSE. BUT THAT WE ARE
20 INSTRUCTING OUR STAFF TO GO OUT WITH NOT ANY SPECIFIC NUMBER, IT COULD
21 BE ONE, IT COULD BE 10, IT COULD BE 50. AND AT ANY ONE OF THOSE TIMES
22 IF THERE'S ANY VIOLATION WHATSOEVER YOU WILL BE NOTICED FOR ANOTHER
23 HEARING WITHIN 35 DAYS, AT WHICH TIME THE BOARD WILL TAKE ITS ACTION.
24 WHICH I THINK WILL PROBABLY WIND UP NOT BEING IN YOUR BEST INTEREST.

25 MR. PORRAS: I UNDERSTAND.

26 CHAIRMAN EATON: AND, SO THAT GOES FOR ANYTHING.

AUDI-X REPORTING

1 IS THERE ANYTHING THAT YOU CARE TO SAY, OR NEED
2 CLARIFICATION ON?

3 MR. PORRAS: NO, I UNDERSTAND.

4 CHAIRMAN EATON: AND THIS IS GOING TO BE NOT, YOU KNOW, FOR
5 THE NEXT MONTH OR TWO, THIS IS GOING TO BE AT LEAST UNTIL -- LET'S SEE,
6 THIS IS THE BEGINNING OF MAY, SO WE WOULD SAY, I GUESS, PROBABLY
7 REASONABLY, MAYBE JANUARY 1ST, THE YEAR 2000. PERHAPS IF YOU CAN MAKE
8 IT TO THE NEW MILLENNIUM YOU'LL BE OKAY.

9 BUT, I MEAN, DO YOU -- I MEAN --

10 MR. PORRAS: YEAH, I -- YEAH, JUST KEEP IT CLEAN, RIGHT.
11 JUST KEEP IT THE WAY IT IS RIGHT NOW.

12 MS. TOBIAS: MR. CHAIR, COULD I CLARIFY --

13 CHAIRMAN EATON: SURE. I JUST -- I THINK I JUST WANT TO
14 MAKE SURE -- THANK YOU.

15 MS. TOBIAS: I THINK THIS IS GOOD.

16 BUT, IF HE BASICALLY HAS NO VIOLATIONS WITHIN THE NEXT
17 SIX MONTHS THEN DO YOU WANT IT TO COME BACK, OR ARE YOU JUST GOING TO
18 LET HIM GO UNTIL OR UNLESS THERE IS ANOTHER VIOLATION?

19 MEMBER JONES: JUST LET HIM --

20 MS. TOBIAS: OKAY. SO HE'S OFF IF HE'S OKAY WITH THAT AND
21 THEN THEY JUST DO THE REGULAR INSPECTIONS ON -- OKAY.

22 MEMBER ROBERTI: I WANT MR. PORRAS TO REALIZE THAT THAT
23 DOESN'T MEAN HE'S FREE TO GO BACK. IT'S JUST THAT WE WON'T BE SENDING
24 THE TROOPS OUT THERE. BUT YOU STILL HAVE TO --

25 MR. PORRAS: YEAH.

26 MEMBER ROBERTI: YOU ALWAYS HAVE TO MAINTAIN THE WASTE TIRE

AUDI-X REPORTING

1 STANDARDS THAT THIS BOARD HAS ADOPTED.

2 MR. PORRAS: YEAH.

3 MEMBER JONES: MR. CHAIRMAN?

4 CHAIRMAN EATON: MR. JONES.

5 MEMBER JONES: WE'RE DEALING WITH THE WASTE TIRE FACILITY
6 PERMIT TODAY. BUT YOU'RE ALSO A LICENSED HAULER.

7 MR. PORRAS: YEAH.

8 MEMBER JONES: BOTH SIDES HAVE GOT TO BE WORKING RIGHT.

9 MR. PORRAS: OKAY.

10 MEMBER JONES: OKAY?

11 CHAIRMAN EATON: NOW, I JUST -- ONE OTHER QUESTION BEFORE WE
12 BEGIN. MR. (INDISC) SPOKE TO YOU, WENT OVER THE RULES AND REGULATIONS.
13 WAS HE LICENSED?

14 MR. CAMBRIDGE: NO, HE WAS NOT.

15 CHAIRMAN EATON: YOU UNDERSTAND THAT ALSO YOU'VE GOT TO
16 WATCH WHO YOU HANG OUT WITH.

17 MR. PORRAS: YEAH.

18 CHAIRMAN EATON: YOU KNOW? YOU'RE DOING FINE, OR AT LEAST
19 YOU THINK YOU CAN DO FINE, BUT IT'S THE OTHER INDIVIDUALS.... OKAY.

20 WELL, FIRST WE HAVE TO PROBABLY DO A RESOLUTION.

21 MEMBER PENNINGTON: RIGHT. I THOUGHT THE SENATOR MADE A
22 MOTION, AND --

23 CHAIRMAN EATON: YEAH, AND I'M JUST LOOKING TO SEE WHAT THE
24 ORIGINAL RESOLUTION THAT WE HAD IN -

25 MEMBER PENNINGTON: OH, OKAY. SURE.

26 CHAIRMAN EATON: -- BEFORE US, AND WHAT THE WHEREFORE

AUDI-X REPORTING

1 CLAUSES HAPPENED TO BE, BECAUSE THERE MAY BE SOME ITEMS IN THERE, IF WE
2 ADOPT IT, THAT AREN'T -- THAT ARE EITHER IN CONFLICT OR INCONSISTENT
3 WITH THE ACTION THAT WE AS A BOARD ARE DESIROUS OF TAKING.

4 MS. TOBIAS: WELL, I THINK WHAT WE WOULD DO, MR. CHAIR, IS
5 ADD A PARAGRAPH, A WHEREAS, THAT BASICALLY REFLECTS YOUR DISCUSSION OF
6 TODAY, THAT HE HAS CLEANED UP THE TIRES ON THE SITE AND THAT HE HAS
7 BASICALLY TOLD THE BOARD THAT HE CAN STAY IN COMPLIANCE WITH THIS
8 PERMIT. AND THEN WE WOULD CHANGE THE RESOLUTION CLAUSE TO BASICALLY
9 REFLECT YOUR MOTION. IS THAT --

10 CHAIRMAN EATON: OKAY. I SEE THAT. SO WE WOULD ADD A
11 PARAGRAPH ON --

12 MS. TOBIAS: ANOTHER WHEREAS --
13 (THE PARTIES SIMULTANEOUSLY SPEAK.)

14 CHAIRMAN EATON: -- RESOLUTION 1999-10, WHEREAS, JUST BEFORE
15 THE THEREFORE RESOLVED, AND WE'LL CHANGE IT TO THE ACTIONS BY WHICH THE
16 SENATOR HAD MADE THE MOTION, WHICH WAS BASICALLY TO A --

17 MS. TOBIAS: A SIX-MONTH --

18 CHAIRMAN EATON: -- SIX-MONTH PERIOD OF ALLOWING
19 INDETERMINATE NUMBER OF INSPECTIONS, AND THEN THE VIOLATIONS WOULD COME
20 BACK AND BE NOTICED WITHIN THE 35-DAY TIME FRAME.

21 OKAY. I BELIEVE THAT SENATOR ROBERTI HAS MOVED THAT
22 MOTION. MR. PENNINGTON HAS SECONDED IT, SO MADAM SECRETARY, WOULD YOU
23 PLEASE CALL THE ROLL?

24 THE SECRETARY: BOARD MEMBERS JONES?

25 MEMBER JONES: AYE.

26 THE SECRETARY: PENNINGTON?

AUDI-X REPORTING

1 MEMBER PENNINGTON: AYE.

2 THE SECRETARY: ROBERTI?

3 MEMBER ROBERTI: AYE.

4 THE SECRETARY: CHAIRMAN EATON?

5 CHAIRMAN EATON: AYE.

6 MOTION PASSES.

7 BE CAREFUL OUT THERE.

8 MR. PORRAS: YEAH, THANK YOU.

9 CHAIRMAN EATON: WELL, GIVE THE BOARD MEMBERS JUST A FEW
10 SECONDS OF COURTESY, WE JUST GOT SOMETHING HANDED TO US. THANK YOU.

11 (WHEREUPON A BREAK WAS TAKEN)

12

13 CHAIRMAN EATON: OKAY. BACK ON THE ORDER OF BUSINESS. FOR
14 THOSE OF YOU WHO MAY BE WONDERING WHAT'S KIND OF GOING ON PER OUR
15 DISCUSSION BEFORE WE ENDED AT BREAK, TRYING TO RESOLVE SOME OF THE
16 ISSUES THAT POPPED UP WITH REGARD TO THE BASE-YEAR ADJUSTMENTS, I THINK
17 THE BOARD IS READY TO TAKE AN ACTION AND A MOTION REGARDING THOSE ITEMS.

18 AND THIS MOTION WOULD APPLY TO ALL THE JURISDICTIONS
19 LISTED IN TODAY'S NEW BUSINESS AGENDA ITEMS, WITH THE EXCEPTION OF THE
20 CITY OF LOS ANGELES, WHICH I BELIEVE IS ITEM NO. 9.

21 IF MY BOARD MEMBERS WILL JUST SAY SOMETHING CONFIRM
22 THAT?

23 MEMBER JONES: YEP.

24 CHAIRMAN EATON: AND THAT THAT ITEM, DUE TO CIRCUMSTANCES
25 WHICH SEEM TO BE THE THRESHOLD WILL BE TAKEN UP AS A REGULAR ITEM IN THE
26 REGULAR COURSE OF BUSINESS.

AUDI-X REPORTING

1 BUT BEFORE I BEGIN THAT I'D LIKE TO FIND OUT -- I'M
2 GOING TO NAME THE JURISDICTIONS WHICH ARE GOING TO BE BEFORE US AND ASK
3 IF THERE'S ANY REPRESENTATIVES THAT ARE HERE ON THEIR BEHALF. AND, IF
4 SO, IF THEY WOULD LIKE TO COME AND SPEAK AFTER THE MOTION HAS BEEN MADE
5 AND WE WILL ENTERTAIN THAT DISCUSSION.

6 HALF MOON BAY? OKAY. LET THE RECORD REFLECT THAT
7 THERE IS SOMEONE. AND YOUR NAME IS -- I KNOW IT, I JUST DIDN'T --

8 MS. SMITH: I'M THERESE SMITH, I'M THE PUBLIC WORKS
9 DIRECTOR.

10 CHAIRMAN EATON: OKAY. CITY OF SAN BRUNO, SAN MATEO COUNTY?
11 NO REPRESENTATIVE HERE. OKAY.

12 BELL GARDENS? BELLFLOWER? BURBANK? CEFRITOS?

13 MEMBER JONES: BURBANK RAISED A HAND TOO.

14 CHAIRMAN EATON: BURBANK? OKAY. I'LL JUST GO THROUGH THEM.
15 IF YOU -- THE BOARD MEMBERS COULD HELP WHILE I READ THROUGH THE NUMBERS
16 THAT WOULD BE HELPFUL.

17 CHAIRMAN EATON: CLAREMONT?

18 MEMBER JONES: YEAH.

19 CHAIRMAN EATON: CUDAHY?

20 MEMBER JONES: YEAH.

21 CHAIRMAN EATON: HIDDEN HILLS?

22 PUBLIC: PRESENT.

23 CHAIRMAN EATON: LAKEWOOD?

24 PUBLIC: PRESENT.

25 CHAIRMAN EATON: LAWNDALE?

26 MEMBER JONES: PRESENT.

AUDI-X REPORTING

1 CHAIRMAN EATON: LOMITA? LYNWOOD? MAYWOOD?
2 MEMBER JONES: YEAH.
3 CHAIRMAN EATON: MONTEREY PARK?
4 MEMBER JONES: YEAH.
5 CHAIRMAN EATON: NORWALK?
6 MEMBER JONES: YEAH.
7 CHAIRMAN EATON: PALOS VERDES ESTATES?
8 ROLLING HILLS?
9 SAN FERNANDO?
10 MR. CAMBRIDGE: HERE.
11 CHAIRMAN EATON: TEMPLE CITY?
12 MR. CAMBRIDGE: YEAH.
13 CHAIRMAN EATON: TORRANCE?
14 PUBLIC: HERE.
15 CHAIRMAN EATON: WEST COVINA?
16 PUBLIC: PRESENT.
17 CHAIRMAN EATON: AND WEST HOLLYWOOD?
18 VOICE: (NOT AUDIBLE; POSITIVE RESPONSE?)
19 CHAIRMAN EATON: OKAY. CITY OF PARAMOUNT?
20 MR. CAMBRIDGE: HERE.
21 CHAIRMAN EATON: CITY OF SOUTH EL MONTE?
22 CITY OF WHITTIER? OKAY.
23 CITY OF WESTLAKE VILLAGE?
24 PUBLIC: HERE.
25 CHAIRMAN EATON: LAGUNA BEACH, ORANGE COUNTY? CITY OF
26 COLTON? CITY OF LOMA LINDA? CITY OF HIGHLAND? CITY OF HESPERIA?

AUDI-X REPORTING

1 MR. CAMBRIDGE: HERE.

2 CHAIRMAN EATON: AND THE UNINCORPORATED AREA OF SAN
3 BERNARDINO COUNTY?

4 MR. CAMBRIDGE: HERE.

5 CHAIRMAN EATON: OKAY.

6 MEMBER PENNINGTON: MR. CHAIRMAN?

7 CHAIRMAN EATON: MR. PENNINGTON.

8 MEMBER PENNINGTON: I THINK YOU MISSED TWO --

9 CHAIRMAN EATON: I PROBABLY DID.

10 MEMBER PENNINGTON: CONCORD --

11 CHAIRMAN EATON: I'M LOOKING.

12 MEMBER PENNINGTON: IT'S THE THIRD ONE DOWN.

13 CHAIRMAN EATON: THIRD ONE DOWN. YES, YOU'RE ABSOLUTELY
14 CORRECT. I DIDN'T --

15 MEMBER PENNINGTON: AND CERRITOS?

16 CHAIRMAN EATON: CERRITOS I HAD MENTIONED. BUT I THINK
17 YOU'RE RIGHT, THERE WAS SOME CONFUSION THERE --

18 MEMBER PENNINGTON: AND THERE WAS ONE OTHER THAT YOU SAID
19 THAT I DON'T HAVE ON MY LIST --

20 PUBLIC: PARAMOUNT.

21 MEMBER PENNINGTON: PARAMOUNT, YEAH.

22 CHAIRMAN EATON: THAT WOULD HAVE BEEN NUMBER FIVE.

23 MEMBER PENNINGTON: OKAY.

24 CHAIRMAN EATON: AGENDA ITEM NO. 5. EXCUSE ME.

25 MEMBER PENNINGTON: DID YOU ALSO MENTION WEST HOLLYWOOD?

26 CHAIRMAN EATON: YES, I DID.

AUDI-X REPORTING

1 MEMBER PENNINGTON: OKAY.

2 CHAIRMAN EATON: OKAY. MEMBERS -- MR. JONES?

3 MEMBER JONES: MR. CHAIRMAN?

4 CHAIRMAN EATON: -- COULD HAVE SOME CLARIFICATION FROM THE
5 STAFF AS WELL --

6 MEMBER JONES: RIGHT.

7 CHAIRMAN EATON: -- IF YOU HAVE ANY QUESTIONS.

8 MEMBER JONES: THERE WERE A COUPLE THAT WERE DONE THAT WERE
9 -- HAD THEIR OWN 1995 WASTE GENERATION STUDY. IF YOU COULD JUST
10 IDENTIFY THOSE FOR US? I KNOW WESTLAKE VILLAGE WAS ONE OF THEM.

11 MR. CHANDLER: SO, PAT SCHIAVO, COULD YOU COME FORWARD AND
12 CLARIFY THAT IN ANSWER TO MR. JONES' QUESTION? I BELIEVE IT WAS THE
13 CITY OF LOS ANGELES -- AND WAS IT WESTLAKE VILLAGE? -- BOTH HAVE
14 COMPLETED A COMPLETE WASTE CHARACTERIZATION STUDY FOR 1995? CORRECT?

15 MR. SCHIAVO: RIGHT, 1995 WAS REFLECTED IN THE NEW
16 CHARACTERIZATION STUDY.

17 DOES THAT ANSWER YOUR QUESTION?

18 MEMBER JONES: IT DOES. THERE AREN'T ANY OTHERS.

19 MR. SCHIAVO: NO.

20 MEMBER JONES: OKAY.

21 CHAIRMAN EATON: SO WITHOUT OBJECTION, THAT -- TO BE
22 CONSISTENT, THAT IN ADDITION TO THE CITY OF LOS ANGELES -- BECAUSE OF
23 THEIR WASTE CHARACTERIZATION STUDY -- THEN THE CITY OF WESTLAKE VILLAGE,
24 ALSO IN LOS ANGELES COUNTY, WOULD ALSO FALL INTO THAT CATEGORY AND NOT
25 BE PART OF THE MOTION.

26 MEMBER JONES: MR. CHAIRMAN?

AUDI-X REPORTING

1 CHAIRMAN EATON: YES?

2 MEMBER JONES: BASED ON --

3 CHAIRMAN EATON: IF I COULD JUST -- JUST ONE THING?

4 MEMBER JONES: YEAH.

5 CHAIRMAN EATON: WITH REGARD TO THE -- OKAY, GO AHEAD, I'M
6 SORRY MR. JONES.

7 MEMBER JONES: BASED ON ALL THE DISCUSSIONS WE HAD TODAY ON
8 HALF MOON BAY, OBVIOUSLY YOU UNDERSTAND, I HOPE, THAT HALF MOON BAY WAS
9 THE CATCHER OF WHAT EVERYBODY IN THIS ROOM WAS GOING TO END UP
10 EXPERIENCING.

11 WE HAVE A DILEMMA IN FRONT OF US AS FAR AS BASE-YEAR
12 NUMBERS AND -- BUT WE HAVE TO MOVE FORWARD. AND THE WAY TO MOVE FORWARD
13 IS -- I'M GOING TO MAKE A MOTION HERE IN A SECOND THAT IT -- THAT TAKES
14 ALL THOSE CITIES EXCEPT L.A. AND WESTLAKE VILLAGE -- AND TRIES TO DEAL
15 WITH THIS COMPREHENSIVELY SO THAT YOU CAN ALL MOVE FORWARD AS CITIES,
16 AND WE CAN MOVE FORWARD AND KEEP THE INTEGRITY OF THIS LAW AND BILL AND
17 INFRASTRUCTURE THAT WAS BUILT IN TACT. SO BEAR WITH ME AS I TRY TO WORK
18 THROUGH THIS.

19 I'M MAKING A MOTION THAT ARE GOING TO COVER A NUMBER
20 OF ITEMS AT ONCE. AFTER CONSIDERATION OF THIS MOTION WE WILL NOT BE
21 CALLING THESE ITEMS INDIVIDUALLY SO ANY JURISDICTION WHO'S HERE THAT
22 WISHES TO SPEAK ON THIS ISSUE, NOW'S YOUR CHANCE.

23 I'D LIKE TO MOVE THE FOLLOWING. BASED ON THE
24 INFORMATION DISCUSSED SO FAR, THE INFORMATION PROVIDED IN OUR AGENDA
25 ~~PACKAGES, I DON'T BELIEVE THAT THERE IS SUFFICIENT INFORMATION TO~~
26 SUPPORT BASE-YEAR ADJUSTMENTS. AT THE PRESENT TIME THE BOARD WILL NOT

AUDI-X REPORTING

1 APPROVE OR DISAPPROVE THE REQUEST OF BASE-YEAR ADJUSTMENTS. INSTEAD, WE
2 WILL DIRECT THAT THE CONSIDERATION OF THESE ADJUSTMENTS BE CONSIDERED
3 TOGETHER WITH THE BIENNIAL REVIEW FOR THESE JURISDICTIONS.

4 IN PERFORMING THOSE BIENNIAL REVIEWS AND BRINGING THEM
5 BACK BEFORE THE BOARD, STAFF SHOULD REVIEW, AS PROVIDED BY THE
6 JURISDICTIONS, DETAILED INFORMATION AND RECORDS SUPPORTING OR JUSTIFYING
7 THE REQUESTED BASE-YEAR CHANGES, PROGRAM IMPLEMENTATION INFORMATION
8 WHICH MAY SUPPORT OR NOT SUPPORT THE 1995 DIVERSION RATES THAT WOULD BE
9 THE RESULT OF THE REQUESTED BASE-YEAR CHANGES, INFORMATION REGARDING THE
10 1996 DIVERSION RATES AND PROGRAM IMPLEMENTATION WHICH MAY OR MAY NOT
11 SUPPORT THE ACCURACY OF THE '95 DIVERSION RATES THAT WOULD BE THE RESULT
12 OF THE REQUESTED BASE-YEAR CHANGES.

13 AT THE TIME OF THE BIENNIAL REVIEWS THE BOARD WILL
14 DETERMINE WHETHER OR NOT TO APPROVE THE REQUESTED BASE-YEAR CHANGES.
15 IF, BASED ON THE INFORMATION PROVIDED, THE BOARD BELIEVES THE
16 JURISDICTIONS' BASE-YEAR AND/OR DIVERSION RATES ARE NOT ACCURATE THE
17 BOARD MAY DIRECT THAT A COMPLIANCE HEARING BE SCHEDULED TO PLACE THE
18 JURISDICTIONS ON A COMPLIANCE ORDER. THE COMPLIANCE ORDER WOULD
19 REQUIRE, AMONG OTHER THINGS, THAT THE JURISDICTION BE REQUIRED TO REVISE
20 THE INACCURATE NUMBERS AND MAY INCLUDE A REQUIREMENT THAT THE
21 JURISDICTION COMPLETE A NEW WASTE CHARACTERIZATION GENERATION STUDY.

22 CHAIRMAN EATON: I THINK, MR. ROBERTI, YOU HAD ONE
23 ADDITIONAL, I THINK, SEMANTIC --

24 MEMBER ROBERTI: ONE SEMANTIC CHANGE.

25 CHAIRMAN EATON: AND I THINK IT WAS IN THE SECOND TO LAST
26 PARAGRAPH --

AUDI-X REPORTING

1 MEMBER ROBERTI: THE SECOND TO LAST PARAGRAPH --

2 CHAIRMAN EATON: -- THIRD SENTENCE --

3 MEMBER ROBERTI: THAT IS IF THE BASE -- BASED ON THE
4 INFORMATION PROVIDED THE BOARD BELIEVES THE JURISDICTION'S BASE-YEAR
5 AND/OR DIVERSION RATES ARE NOT ACCURATE. I WOULD CHANGE THAT TO, IF
6 BASED ON THE INFORMATION PROVIDED THE BOARD BELIEVES THAT THE
7 JURISDICTION'S DIVERSION RATE OR AND/OR DIVERSION RATE BASED ON THE
8 BASE-YEAR. BUT I DON'T WANT IT JUST TO BE THE BASE-YEAR BECAUSE, YOU
9 KNOW, WE COULD HAVE A NONCOMPLIANCE SIMPLY BECAUSE THEY HAVE A
10 DISAGREEMENT ON A COMPUTATION OF BASE-YEAR.

11 MEMBER JONES: SO HOW DO YOU WANT TO AMEND THAT --

12 MEMBER ROBERTI: I DON'T EVEN THINK WHILE WE -- I JUST THINK
13 ALL WE NEED IS THAT THE DIVERSION RATE IS NOT ACCURATE. WHY DO WE NEED
14 ANYTHING ELSE? WHY DO WE HAVE TO MAKE REFERENCE TO THE BASE-YEAR? THE
15 DIVERSION RATE PRESUMES THAT.

16 MEMBER JONES: YOU HAVE TO HAVE THE BASE-YEAR TO KNOW THE
17 DIVERSION RATE.

18 MEMBER ROBERTI: I WOULD JUST STRIKE THE WORD "BASE-YEAR
19 AND/OR."

20 CHAIRMAN EATON: I BELIEVE YOU HAVE TO ESTABLISH A BASE-
21 YEAR.

22 MEMBER JONES: YEAH.

23 CHAIRMAN EATON: THAT'S THE ONLY REQUIREMENT, THERE HAS TO
24 BE A JUMPING-OFF POINT --

25 ~~MEMBER ROBERTI: BUT THE JURISDICTIONS' BASE YEAR OR~~
26 DIVERSION -- BASE-YEAR AND DIVERSION RATE BASED THEREON. THERE MUST BE

AUDI-X REPORTING

1 I GUESS -- MS. JONES' ENGLISH CLASS WE CAN USE -- FORGET ABOUT THAT AND
2 USE BASE TWICE.

3 CHAIRMAN EATON: I'M JUST GOING BACK THROUGH AND JUST MAKING
4 -- NOT FOR ANYTHING -- JUST TO MAKE SURE THAT IT'S ACCURATE FOR THE
5 RECORD.

6 MEMBER ROBERTI: YEAH.

7 CHAIRMAN EATON: THE BOARD BELIEVES THAT THE BASE-YEAR
8 AND/OR DIVERSION BASED THEREON -- DIVERSION RATES BASED THEREON --

9 MEMBER ROBERTI: YEAH.

10 CHAIRMAN EATON: OKAY.

11 MEMBER ROBERTI: THAT THE JURISDICTIONS' BASE-YEAR -- THE
12 JURISDICTIONS' DIVERSION RATE AND -- NO, THAT'S NOT....

13 CHAIRMAN EATON: SEE, BECAUSE THE BASE-YEAR MAY BE NOT 1995,
14 AND BY WHICH THEY'RE GOING TO LOOK AT IS '95.

15 MEMBER ROBERTI: RIGHT.

16 CHAIRMAN EATON: RIGHT. PERHAPS -- YOU KNOW WHAT --

17 MEMBER ROBERTI: THAT THE JURISDICTIONS' DIVERSION RATES
18 AND/OR -- THE JURISDICTIONS' DIVERSION RATE BASED ON BASE-YEAR ANALYSIS.
19 THAT'S NOT GOING TO --

20 CHAIRMAN EATON: NO. I THINK MAYBE WHAT WE'LL TRY TO DO --
21 I DON'T KNOW IF MR. BLOCK WAS HERE DURING THAT TIME, BUT MAYBE WHAT WE
22 CAN DO DURING THIS TIME, BECAUSE WE DID SAY THAT THE JURISDICTION WILL
23 BE GIVEN AN OPPORTUNITY TO SPEAK, THAT WE CAN KIND OF CLARIFY THAT
24 LANGUAGE, THEN WE'LL RESTATE --

25 MEMBER ROBERTI: RIGHT. RIGHT.

26 CHAIRMAN EATON: -- WHAT THEIR --

AUDI-X REPORTING

1 MEMBER ROBERTI: RIGHT. MAYBE THEY CAN HELP US --

2 CHAIRMAN EATON: AND JUST FOR PURPOSES, MR. JONES, DO YOU
3 WANT TO NAME THE CITIES --

4 MEMBER JONES: I DO.

5 CHAIRMAN EATON: -- THAT WERE GOING TO BE PART OF IT? AND
6 THEN AT THAT TIME I THINK WE'LL BE ABLE TO GET THE OTHER LANGUAGE AND
7 THE JURISDICTIONS CAN COME UP AND COMMENT PRIOR TO TAKING ANY ACTION.

8 OKAY. MR. JONES.

9 CHAIRMAN EATON: THE JURISDICTIONS ARE HALF MOON BAY IN SAN
10 MATEO COUNTY; SAN BRUNO IN SAN MATEO COUNTY; CITY OF CONCORD IN CONTRA
11 COSTA COUNTY; CITY OF BELL GARDENS, BELLFLOWER, BURBANK, CERRITOS,
12 CLAREMONT, CUDAHY, HIDDEN HILLS, LAKEWOOD, LAWNSDALE, LOMITA, LYNWOOD,
13 MAYWOOD, MONTEREY PARK, NORWALK, PALOS VERDES ESTATES, ROLLING HILLS,
14 SAN FERNANDO, TEMPLE CITY, TORRANCE, WEST COVINA, AND WEST HOLLYWOOD --
15 THERE'S MORE -- CITY OF SOUTH EL MONTE --

16 CHAIRMAN EATON: IS PARAMOUNT PART OF THAT OR NOT?

17 MEMBER JONES: NO, PARAMOUNT WAS -- THEY'RE A SOURCE
18 REDUCTION --

19 CHAIRMAN EATON: OKAY. I GOT YOU.

20 MEMBER JONES: OKAY. CITY OF WHITTIER. LAGUNA BEACH IN
21 ORANGE COUNTY. CITY OF COLEMAN (PHON), SAN BERNARDINO. CITY OF LOMA
22 LINDA IN SAN BERNARDINO. CITY OF HIGHLANDS IN SAN BERNARDINO COUNTY.
23 CITY OF HESPERIA IN SAN BERNARDINO COUNTY. AND THE UNINCORPORATED SAN
24 BERNARDINO COUNTY.

25 CHAIRMAN EATON: OKAY. ALL RIGHTY.

26 MEMBER JONES: THAT'S MY MOTION, MR. CHAIRMAN. I WOULD LIKE

AUDI-X REPORTING

1 TO JUST STATE ONE MORE THING?

2 CHAIRMAN EATON: UM-HUM.

3 MEMBER JONES: THE REASON FOR THE ACCURACY, THE DISCUSSION
4 IN THIS MOTION, IS THAT UNDER AB 939, AND WE HAVE DONE THIS WITH ANOTHER
5 JURISDICTION THAT HAD EXCEPTIONALLY HIGH DIVERSION NUMBERS BUT DID NOT
6 HAVE PROGRAMS TO SUPPORT THEM, PART OF OUR CHARGE UNDER AB 939 IS TO
7 ENSURE THE ACCURACY AS BEST WE CAN OF BOTH THE NUMBERS AND THE
8 DIVERSION. SO I WANTED THAT TO BE UNDERSTOOD. IN ONE CASE WE HAD
9 SUPER-HIGH DIVERSION AND NO PROGRAMS, THAT JURISDICTION IS ON A
10 COMPLIANCE SCHEDULE, AS WELL AS OTHERS, THAT ARE COMING FROM THE OTHER
11 DIRECTION. THE INTENT IS TO TRY TO GET IT RIGHT WITHOUT IMPACTING ALL
12 THESE CITIES AND COUNTIES.

13 MR. CHANDLER: MR. CHAIRMAN, IF I COULD?

14 CHAIRMAN EATON: MR. CHANDLER.

15 MR. CHANDLER: I THINK IT'D BE APPROPRIATE, SINCE THIS IS A
16 LONG MOTION, AND YOU'VE INVITED SOME WHO ARE REPRESENTING VARIOUS
17 JURISDICTIONS TO COME FORWARD IF THEY CHOOSE, THAT WHILE IT'S STILL A
18 PROPOSED MOTION AND, THEREFORE, IN DRAFT FORM, THAT I PUT A COPY OF THE
19 MOTION IN THE BACK OF THE ROOM SO THOSE JURISDICTIONS WHO WISH TO REVIEW
20 WHAT MR. JONES HAS JUST OUTLINED CAN DO SO.

21 AND SO, TREVOR, COULD I ASK THAT YOU COME UP AND JUST
22 PUT THIS ON THE TABLE FOR ANYBODY WHO MAY WANT A COPY?

23 CHAIRMAN EATON: AND WHILE HE'S DOING THAT, I HAVE ACTUALLY
24 SEVEN SPEAKER SLIPS, ALTHOUGH THREE ARE FROM THE SAME INDIVIDUAL.

25 AND I HAVE MR. DAVE (INDISC) FROM THE CITY OF WESTLAKE
26 VILLAGE. SINCE YOU'RE NOT PART OF THE LONGER MOTION I WILL SIMPLY PUT

AUDI-X REPORTING

1 YOUR REQUEST ASIDE UNTIL THE TIME THAT WE TAKE UP THAT MOTION, WHICH
2 WILL BE A SEPARATE MOTION, IF THAT MEETS WITH YOUR APPROVAL. UNLESS OF
3 COURSE YOU WANT TO SPEAK ON THE LONGER MOTION, WHICH YOU ARE MORE THAN
4 WELCOME TO DO. IS THAT OKAY? SURELY.

5 MEMBER PENNINGTON: MR. CHAIRMAN?

6 CHAIRMAN EATON: MR. PENNINGTON.

7 MEMBER PENNINGTON: FOR THE SAKE TO KEEP THE MOTION ALIVE
8 I'LL SECOND IT.

9 CHAIRMAN EATON: THANK YOU.

10 ALL RIGHTY. I HAVE A NUMBER OF SLIPS, THE FIRST ONE
11 IS J. MICHAEL HULS REPRESENTING LAKEWOOD, WEST COVINA AND LAWDALE.

12 MR. HULS: MY NAME IS J. MICHAEL HULS, I'M REPRESENTING
13 THOSE PARTICULAR CITIES THAT WERE IDENTIFIED. AND AT THIS POINT I'LL
14 HAVE TO TAKE THIS INFORMATION BACK TO THOSE CITIES TO CONSIDER THEIR
15 SPECIFIC RESPONSES.

16 IF THERE'S ANY QUESTIONS I'LL TRY TO ANSWER THOSE.
17 THANK YOU.

18 CHAIRMAN EATON: ANY QUESTIONS OF MR. HULS? NO.

19 OKAY. MR. PAUL RYAN, PAUL RYAN & ASSOCIATES.

20 MR. RYAN: MR. CHAIRMAN AND BOARD MEMBERS, MY NAME IS PAUL
21 RYAN. I WOULD LIKE -- I'M REPRESENTING THE CITY OF HIGHLAND AND ALSO
22 THE CITY OF HESPERIA.

23 IN TERMS OF THE MOTION, THE CITIES COULD LIVE WITH
24 THAT MOTION. I WOULD ASK THAT THE BOARD CONSIDER TAKING THE COUNTY
25 UNINCORPORATED AREA, THE CITY OF HESPERIA AND THE CITY OF HIGHLAND ALL
26 AT THE SAME TIME WHEN YOU REVIEW THE BIENNIAL REVIEW, BECAUSE THE

AUDI-X REPORTING

1 UNDERLYING REPORT THAT I WORKED WITH NORCAL AND ALSO THE -- YOUR STAFF
2 DISCUSSES THOSE ISSUES OF HOW TO SPREAD AND COVER THE BALANCE ON THE BOE
3 NUMBERS.

4 MR. JONES AND I KNOW THE HISTORY OF THIS THING, AND IT
5 GOES BACK TO SOME THINGS THAT HAPPENED, AND WE'RE JUST NOW CORRECTING AT
6 THIS TIME SOME HISTORICAL OMISSIONS. AND I WOULD LIKE TO SEE IT TREATED
7 ALL AT THE SAME TIME.

8 CHAIRMAN EATON: IS THERE ANY OBJECTION TO --

9 MEMBER JONES: THAT DIRECT? I THINK THAT'S EXACTLY WHAT THE
10 CHAIRMAN AND I, AND SENATOR ROBERTI WERE TALKING ABOUT EARLIER WHEN WE
11 WERE TALKING ABOUT SAN MATEO COUNTY, YOU KNOW, TRYING TO RECONCILE
12 ISSUES REGIONALLY WHENEVER POSSIBLE INSTEAD OF -- SO, YEAH, I THINK YOUR
13 REQUEST -- I'M ASSUMING, JUDY, THAT --

14 MS. FRIEDMAN: ABSOLUTELY.

15 MEMBER JONES: ABSOLUTELY.

16 CHAIRMAN EATON: THANK YOU.

17 SO AND I THINK AS WELL IT GOES FOR THOSE AREAS, ANY OF
18 THOSE OTHER AREAS THAT MAY FALL INTO THAT SAME OR SIMILAR KIND OF
19 CATEGORY, GEOGRAPHICAL PROXIMITY, THAT HAS THE IMPACT, IF THEY COULD DO
20 THOSE AT THE SAME TIME, BOTH FOR EFFICIENCY, AS WELL AS VERIFIABILITY IT
21 MIGHT BE A GOOD SITUATION.

22 MS. FRIEDMAN: WE WILL DO SO.

23 CHAIRMAN EATON: OKAY. MR. MIKE MOHAJER, LOS ANGELES COUNTY
24 PUBLIC WORKS.

25 MR. MOHAJER: MR. CHAIR, MEMBER OF THE BOARD, I WAS NOT

26 PLANNING TO SPEAK BUT I HAVE BEEN A LITTLE BIT CONFUSED WITH THE MOTION

AUDI-X REPORTING

1 AND TRYING TO UNDERSTAND.

2 GOING BACK, EVEN THOUGH IT'S GOING TO TAKE A FEW
3 MINUTES, I WAS A PART OF THE MEMBER THAT THE WASTE BOARD PUT TOGETHER AS
4 A ADJUSTMENT METHODOLOGY GROUP TO COME UP WITH A FORMULA TO CORRECT THE
5 BASE NEW NUMBER WHICH RESULTED IN ADOPTING 16, 17 DIFFERENT FORMULA THAT
6 THE BOARD APPROVED A COUPLE THREE YEARS AGO FOR JURISDICTIONS TO USE
7 THOSE FORMULA.

8 AND ALONG WITH THAT, AT LEAST DURING THE PAST NINE
9 YEARS I HAVE BEEN INVOLVED VERY EXTENSIVELY WITH THIS BOARD ADDRESSING
10 THE DISPOSAL QUANTITY PROBLEM THAT WE HAVE IN L.A. COUNTY OF THE 15.9
11 MILLION TONS THAT WE HAVE BEEN DEPORTING SINCE GOING BACK TO 1991.

12 AND FINALLY, I REALLY THOUGHT THAT WE CAME UP WITH A
13 SOLUTION LAST OCTOBER AND NOVEMBER, TO CHECKING THE NUMBER WITH THE
14 BOARD OF EQUALIZATION, AND FINALLY DEVELOPING A FORMULA THAT THE L.A.
15 COUNTY JURISDICTION, IF THEY SO CHOOSE, THEY CAN REQUEST THE BOARD FOR
16 APPROVAL AND THE TOTAL TONNAGES OF THE DISCREPANCY WAS VERY MUCH DEFINED
17 THE FORMULA FOR DISTRIBUTION OF THAT, I THINK IT WAS A 4.4 MILLION TONS
18 THAT ULTIMATE SOLUTION WAS, WAS PRETTY MUCH RESOLVED AND THE BOARD
19 APPROVED THAT.

20 AND I'M GETTING CONFUSED NOW, IS THE SAME REQUIREMENT
21 NOW IS APPLICABLE TO ANYBODY THAT HAVE USED -- ANY JURISDICTION THAT
22 HAVE USED ANY ADJUSTMENT METHODOLOGY FORMULA THAT THE BOARD HAS APPROVED
23 GOING BACK TO THE THREE YEARS GO, THE OLD FORMULA AS WELL? BUT I'M JUST
24 -- SO THIS IS BECAUSE THE L.A. COUNTY FIX THAT THE -- I HAVE A
25 DIFFICULTY TO UNDERSTAND.

26 MEMBER JONES: MR. CHAIRMAN?

AUDI-X REPORTING

1 CHAIRMAN EATON: MR. JONES.

2 MEMBER JONES: MR. MOHAJER, I THINK ONE OF THE ISSUES THAT
3 WE HAVE TO DEAL WITH IS NUMBERS AND HOW TO ASSESS THEM ARE -- YOU KNOW,
4 THAT WAS DONE ONCE BY ALL THESE JURISDICTIONS, THE NUMBERS ARE COMING
5 BACK FOR AN ADJUSTMENT. I'M NOT SURE THAT I -- I COULDN'T VOTE FOR
6 THESE BASED ON THE SUPPORTING DOCUMENTATION.

7 AND RATHER THAN HAVE EVERYBODY WALK OUT OF HERE
8 WITHOUT THAT, YOU KNOW -- BECAUSE A LOT OF THESE WITH THE NUMBER FIX
9 GETS JURISDICTIONS TO EXCEED THE 25 IN '95, AND THEN THE FOLLOWING YEAR
10 THEY DROP OFF. AND THAT IS A PROBLEM FOR THE INTEGRITY OF THIS PROGRAM.

11 SO I DON'T HAVE ANY PROBLEM -- I MEAN, WE ARE TRYING
12 TO WORK WITH FOLKS AND LET THEM KNOW THAT WE'VE GOT TO HAVE LEGITIMACY
13 HERE, IRREGARDLESS OF THE L.A. FIX OR WHATEVER. AT THAT TIME THE L.A. -
14 - I THINK WE HAD SIX BOARD MEMBERS WHEN WE DID THE L.A. FIX, AND IT WAS
15 NOT A UNANIMOUS VOTE. DOESN'T MEAN THAT I DON'T WANT TO SEE THE WISHES
16 OF THAT BOARD GO FORWARD. THERE ARE NUMBERS HERE THAT DON'T MAKE SENSE
17 TO ME.

18 AND TO TIE THIS -- TO LET THEM GO FORWARD -- YOU KNOW,
19 LET THEM COME FORWARD WITH THESE NUMBERS AND GO THROUGH THE BIENNIAL
20 REVIEW. AND IF THE PROGRAMS AND THE BACKGROUND MATERIAL CAN SUPPORT
21 BOTH THAT NUMBER AND THE DIVERSION PROGRAMS THEN I DON'T THINK WE HAVE A
22 PROBLEM.

23 MR. MOHAJER: NO. MR. JONES, I UNDERSTAND THAT. BUT AS YOU
24 KNOW -- WELL, BECAUSE I KNOW YOU KNOW BECAUSE WE WORKED TOGETHER -- IT'S
25 BEEN A LONG DRAG FOR ALL THE JURISDICTION IN L.A. COUNTY TRYING TO COME
26 UP WITH THE DIFFERENCE BETWEEN OF 10.3 MILLION TONS, THE SREE'S NUMBERS

AUDI-X REPORTING

1 DISPOSAL QUANTITY SHOWS, AND OUR DISPOSAL QUANTITY OF 15.9 MILLION TONS.

2 HERE WE ARE -- THE OTHER DIFFICULTY'S THAT I DON'T
3 KNOW WHEN THE BIENNIAL REVIEW ARE GOING TO TAKE PLACE FOR 1996 THAT WE
4 ARE TALKING ABOUT RIGHT NOW. WE ARE IN MAY OF 1999. AND THE
5 JURISDICTIONS, THEY GOT TO PLAN FOR AS WHAT THEY HAVE TO DO BETWEEN NOW
6 AND THE NEXT SIX MONTHS, AND THIS IS THE OTHER SIDE OF THE PROBLEM TOO.

7 AND I'M JUST TRYING TO ALSO BE FAIR WITH THE -- IF A
8 JURISDICTION USES A DIFFERENT METHODOLOGY SO SAME CRITERIA HAS TO BE
9 APPLICABLE TO THAT -- TO ALL JURISDICTION THAT THEY USE DIFFERENT
10 METHODOLOGIES. AND L.A. COUNTY METHODOLOGY IS ONE OF THE -- NOW IS ONE
11 OF THE 17 METHODS THAT THE BOARD HAS APPROVED. SO SAME CRITERIA OUGHT
12 TO BE APPLICABLE TO EVERYBODY.

13 CHAIRMAN EATON: MR. MOHAJER, THIS DOES NOTHING TO INTERFERE
14 OR SLOW DOWN THE BIENNIAL PROCESS. IN FACT, IT ACTUALLY ALLOWS IT TO GO
15 FORWARD SO THERE ISN'T ANY PROBLEMS, SO THAT THEY CAN GO FORWARD WITH
16 THOSE NUMBERS.

17 ALL WE'RE SAYING IS THAT -- AND JUST BECAUSE YOU USED
18 A METHOD -- YOU'RE NOT INSINUATING OR IMPLYING THAT THE BOARD TOOK THE
19 ACTION THAT BECAUSE YOU APPROVED A METHOD THAT, THEREFORE, ANYTHING YOU
20 SUBMIT ALONG THOSE METHODS ARE ACCEPTABLE? ARE YOU?

21 MR. MOHAJER: COULD YOU REPEAT THAT AGAIN?

22 CHAIRMAN EATON: ABSOLUTELY, I SURE CAN.

23 MR. MOHAJER: I THINK I'M GETTING REALLY TOTALLY CONFUSED
24 THIS AFTERNOON. I THOUGHT -- BECAUSE I THOUGHT REALLY THAT WE HAD AT
25 LEAST THAT PART OF THE PROBLEM RESOLVED AFTER ALL THESE YEARS.

26 CHAIRMAN EATON: I SAID THAT THIS MOTION WILL ALLOW THE

AUDI-X REPORTING

1 BIENNIAL REVIEW TO GO FORWARD. AND THAT BECAUSE THERE HAS BEEN AN
2 APPROVED METHODOLOGY TO BE USED, A SIMILAR NUMBER OF METHODS THAT YOU
3 COULD CHOOSE FROM ONE OF THOSE, THAT JUST BECAUSE A JURISDICTION CHOOSES
4 TO USE ONE OF THOSE METHODS THAT IMPLIES THAT THE FIGURES WITHIN THOSE
5 METHODS ARE ACCURATE.

6 IS THAT...? JUST BECAUSE YOU USE A METHOD DOESN'T
7 MEAN THAT THEY'RE ACCURATE, OR THAT THEY'RE VERIFIABLE, OR THAT THEY'RE
8 ACCEPTABLE TO THE BOARD. THE METHOD USED IS AN ACCEPTABLE METHOD.

9 MR. MOHAJER: I AGREE WITH YOU 100%, AND I'VE BEEN SAYING
10 THAT FROM DAY ONE, GOING BACK NINE YEARS AGO.

11 CHAIRMAN EATON: THAT'S -- OKAY. RIGHT. WELL, I WISH I'D
12 HAVE BEEN HERE WITH YOU NINE YEARS AGO, BUT I WASN'T, SO.

13 BUT THAT'S WHAT THAT'S MEANT TO BE. THESE WILL GO
14 FORWARD. THE PURPOSES -- THOSE NUMBERS CAN BE USED DURING THAT REVIEW,
15 SO THAT'S NOT GOING TO SLOW THEM DOWN, THE FIGURES THAT WERE PRESENTED,
16 WHAT WILL BE DONE --

17 MR. MOHAJER: IS THERE A DEADLINE AS TO WHEN THIS BIENNIAL
18 REVIEW WOULD COME, AT LEAST FOR THE L.A. COUNTY JURISDICTIONS?

19 CHAIRMAN EATON: WELL, THE ONE I KNOW, INTENT, AT LEAST FOR
20 THIS INDIVIDUAL BOARD MEMBER, WILL BE TO GET THOSE COMPLETED AS QUICKLY
21 AS POSSIBLE IN A FAST TRACK. AND ONE OF THOSE -- SOME OF THOSE ARE
22 BASED UPON STATUTE. CORRECT?

23 MR. MOHAJER: WELL, I'M TALKING ABOUT BIENNIAL REVIEW FOR
24 1996. SEE, WHAT IS HAPPENING NOW IS --

25 CHAIRMAN EATON: YOU READY TO GO?

26 MR. MOHAJER: PARDON?

AUDI-X REPORTING

1 CHAIRMAN EATON: ARE YOU READY TO GO?

2 MR. MOHAJER: I HAVE BEEN SUBMITTING OUR REPORTS EVERY YEAR.

3 AND YOU ALSO HAVE OUR 1997 REPORT THAT WHICH WAS SUBMITTED A YEAR AGO.

4 CHAIRMAN EATON: SO, I THINK THEN YOU'LL PROBABLY BE ONE OF
5 THE FIRST IN LINE.

6 MR. MOHAJER: I'M NOT TALKING ABOUT JUST MY JURISDICTION,
7 I'M JUST TALKING AS A OVERALL, THAT --

8 CHAIRMAN EATON: BUT THOSE JURISDICTIONS HAVEN'T ALL
9 SUBMITTED THE DOCUMENTATION FOR BIENNIAL REVIEW. IS THAT CORRECT? ARE
10 YOU TELLING ME THAT EVERY JURISDICTION IN L.A. IS READY TO GO?

11 MR. MOHAJER: WELL, LET'S ASK YOUR STAFF IF THEY HAVE
12 SUBMITTED BIENNIAL. HAVE ALL THE JURISDICTIONS IN LOS ANGELES COUNTY
13 HAVE SUBMITTED THEIR 1995 REPORT AND '96 REPORT?

14 MR. SCHIAVO: YES. THE PROGRAM DATA FOR THE MOST PART'S
15 BEEN REVIEWED. BUT THE ISSUE'S BEEN THE OUTSTANDING NUMBERS ISSUE.

16 MR. MOHAJER: FOR THE BASE-YEAR, SO THAT'S -- THAT'S STILL -
17 -

18 CHAIRMAN EATON: AND THAT WILL BE ALLOWED TO GO FORWARD NOW,
19 AS A RESULT OF THIS MOTION, SO YOU'RE IN THE HOPPER AND READY TO GO.

20 MR. MOHAJER: AND WHEN WOULD BE THE DATE THAT THE BIENNIAL
21 REVIEW WOULD BE COMPLETED? BECAUSE HERE WE'RE TALKING ABOUT THE JANUARY
22 1ST -- SEE, REALLY, IT IS A CONCERN, BECAUSE THE REASON I'M RAISING
23 THIS, BECAUSE I ALSO WORK WITH THE LOCAL TASK FORCE WHICH IS FORMED
24 UNDER AB 939. AND THAT IS ONE OF THE CONCERN THAT, HEY, WE NEED TO MOVE
25 FORWARD, WE STILL DON'T KNOW WHERE WE ARE FOR 1995, AND HERE WE ARE THE
26 YEAR 2000.

AUDI-X REPORTING

1 BUT THIS DECISION IS YOURS, SO I'M NOT GOING TO BE
2 ARGUING BECAUSE --

3 CHAIRMAN EATON: WELL, IT'S NOT ARGUING. I MEAN, WE'RE AS
4 ANXIOUS AS YOU ARE TO GET IT DONE, BECAUSE THE CARDS'LL BE ON THE TABLE
5 AND WE'LL SEE WHERE WE ARE.

6 MR. MOHAJER: COULD WE HAVE SOME KIND OF DATE FOR THE END OF
7 THE DAY --

8 CHAIRMAN EATON: WELL, I MEAN, I'D BE HAPPY TO GIVE YOU A
9 DATE, BUT I'D ALSO --

10 MR. MOHAJER: I'M NOT TALKING ABOUT JUST MINE, I'M JUST
11 TALKING AS A OVERALL, AS PAT MENTIONED, THE JURISDICTION HAVE SUBMITTED
12 THEIR DOCUMENT. AND I'M NOT GOING TO BE ARGUING. SO, THANKS FOR YOUR
13 TIME.

14 CHAIRMAN EATON: SURE.

15 MS. ALLISON BARLEIGH FOR TEMPLE CITY AND THE CITY OF
16 SAN FERNANDO.

17 MS. BARLEIGH: THANK YOU, MR. CHAIRMAN. AND ACTUALLY,
18 BARLEIGH --

19 CHAIRMAN EATON: OH, I'M SORRY.

20 MS. BARLEIGH: -- BUT EVERYBODY MAKES THAT ERROR.

21 I ACTUALLY HAVE MORE OF A QUESTION, WHICH IS ALSO A
22 COMMENT. I WAS WONDERING WHAT STANDARDS WOULD BE USED TO DETERMINE THE
23 ACCURACY FOR THE CORRECTED BASE-YEAR NUMBERS?

24 AND IT'S REALLY ALSO A COMMENT, BECAUSE MANY OF US ARE
25 ~~HERE TODAY BECAUSE THE BASE YEAR NUMBERS WERE INACCURATE, BUT THEY WERE~~
26 BASED ON THE BEST AVAILABLE INFORMATION AT THE TIME, AND BECAUSE WE

AUDI-X REPORTING

1 CANNOT GO BACK IN TIME AND GET ANY FURTHER INFORMATION WE'RE RESTRICTED
2 TO WORKING WITH THOSE NUMBERS THAT WE HAVE. AND THAT'S WHY WE ARE AT
3 LEAST HERE TODAY TO -- WE'RE HERE TO GET THE ALLOCATION OF THE
4 UNALLOCATED WASTE IN LOS ANGELES COUNTY, AMONGST THE CITIES.

5 SO, AGAIN, I WAS WONDERING WHAT STANDARDS OF ACCURACY
6 WOULD BE USED AND WHAT INFORMATION WE WOULD HAVE TO PROVIDE.

7 MEMBER JONES: WHAT CITY ARE YOU FROM?

8 MS. BARLEIGH: I'M REPRESENTING BOTH TEMPLE CITY AND SAN
9 FERNANDO TODAY.

10 MEMBER JONES: I THINK THAT WHAT -- ON THE ACCURACY
11 STANDPOINT -- OKAY? -- IF WE WERE TO ADOPT THESE NUMBERS RIGHT NOW,
12 TODAY, THEN YOUR TEMPLE CITY WOULD BE AT 20% FOR '95, 15% FOR '96
13 THROUGH THE BIENNIAL REVIEW, JUST THE QUICK NUMBERS THAT WE HAVE.

14 YOUR OTHER CITY WAS --

15 MS. BARLEIGH: I'M SORRY, WAS THAT 20% AND 15%?

16 MEMBER JONES: YEAH, DOWN, THAT'S WHAT IT KIND OF LOOKS
17 LIKE.

18 MS. BARLEIGH: YEAH.

19 MEMBER JONES: YOU GO DOWN.

20 ON YOUR OTHER CITY IT GOES FROM 45 TO 54.

21 MS. BARLEIGH: YES.

22 MEMBER JONES: DO THE PROGRAMS IN YOUR CITIES WARRANT THAT
23 KIND OF DIVERSION?

24 MS. BARLEIGH: I BELIEVE SO. AND SAN FERNANDO IS KIND OF AN
25 INTERESTING SITUATION IN THAT AND YOU PROBABLY DON'T HAVE THIS NUMBER
26 AVAILABLE, BUT IN '96 -- EXCUSE ME, FROM THE 54% IN 1996, WITH THE

AUDI-X REPORTING

1 CORRECTION, IT DROPS BACK TO, IN '97 TO 45%. AND WE BELIEVE THAT THAT
2 IS NOT DUE TO ANY CHANGES IN DELETING PROGRAM, DIVERSION PROGRAMS, AND
3 IT'S NOT DUE TO A SIGNIFICANT INCREASE IN ACTIVITY IN THE CITY, BUT MORE
4 SO A FUNCTION OF THE DISPOSAL REPORTING SYSTEM. SO THAT'S ANOTHER
5 ACCURACY ISSUE, ASIDE FROM THE BASE-YEAR ISSUE.

6 MEMBER JONES: SAN FERNANDO, BY MY MATH -- AND WHAT'S THE
7 MIX IN SAN FERNANDO AS FAR AS RESIDENTIAL AND COMMERCIAL AND INDUSTRIAL?
8 WELL, JUST REAL QUICK, BECAUSE WE'RE --

9 MS. BARLEIGH: IN TERMS OF -- I ACTUALLY --

10 MEMBER JONES: JUST PERCENTAGE.

11 MS. BARLEIGH: -- I LEFT MY BRIEF CASE --

12 MEMBER JONES: NEVER MIND, IT DOESN'T MATTER. BUT THAT CITY
13 IS AT 12 POUNDS PER PERSON PER DAY.

14 CHAIRMAN EATON: I'D SAY IT'S PROBABLY ABOUT 65 TO 70%
15 COMMERCIAL OR INDUSTRIAL. I DON'T KNOW ABOUT THE CITY BORDER THOUGH.
16 IT'S QUITE --

17 MEMBER ROBERTI: (INAUDIBLE; OFF-MIKE.)

18 MS. BARLEIGH: THAT IS AN ISSUE, THE CITY BOARD --

19 MEMBER ROBERTI: (INAUDIBLE; OFF-MIKE.)

20 CHAIRMAN EATON: YOU'RE RIGHT, BECAUSE IT'S THE OTHER PART
21 THAT BECOMES PART OF THE CITY OF L.A. THAT CURVES AROUND THERE AND STUFF
22 LIKE THAT. WE ALL KNOW IT SO --

23 MS. BARLEIGH: YEAH, IT'S -- AND THAT'S PROBABLY PART OF THE
24 DISPOSAL REPORTING ISSUE BECAUSE --

25 CHAIRMAN EATON: YEAH, I THINK WITH THE NUMBERS AS IT
26 RELATES TO SAN FERNANDO, THAT AT LEAST FROM WHAT YOU'RE SEEING HERE,

AUDI-X REPORTING

1 IT'S NOT THE SITUATION WHERE YOUR OTHER CITY -- WHERE IT DROPS DOWN IN
2 TERMS OF -- INTO A NEGATIVE UNDERNEATH, THIS IS JUST KIND OF AN
3 ADJUSTMENT. SO I THINK YOU GET THERE, AND I DON'T THINK IT HAS ANY REAL
4 ADVERSE IMPLICATIONS FOR THE CITY OF SAN FERNANDO, AT LEAST UNDER THIS
5 FORMULA HERE.

6 IT'S KIND OF LIKE, ONE, YOU'RE PART OF THE PROBLEM
7 WITH ONE CLIENT THAT YOU REPRESENT, AND THE OTHER ONE YOU'RE ACTUALLY IN
8 PRETTY GOOD SHAPE IN TERMS OF THE OVERALL THRUST OF THE MOTION, WHICH IS
9 BASICALLY TO TRY AND RECONCILE SOME OF THE OTHER THINGS, WHERE WE DON'T
10 HAVE INFORMATION WE CAN LOOK TO OTHER THINGS AND THEN JUST GO AHEAD AND
11 HAVE A BASIS BY WHICH WE CAN APPROVE THOSE. AND THAT WOULD BE YOUR --
12 THINGS THAT WERE MENTIONED IN THE MOTION THAT MR. JONES HAD MENTIONED.

13 MEMBER JONES: I ALSO THINK THAT ONE OF THE --

14 MS. BARLEIGH: SO POUNDS? POUNDS? WE'RE LOOKING JUST AT
15 THE GENERATED --

16 MEMBER JONES: NO, THAT'S JUST AN INDICATOR. IT WAS JUST AN
17 INDICATOR. BECAUSE WHEN I LOOK AT THESE -- WHEN I LOOK AT THESE THINGS
18 OUT OF OUR SYSTEM, IT IDENTIFIES EVERYTHING THAT YOUR CITY SAID IT WAS
19 GOING TO DO TO MEET AB 939. BUT A LOT OF THE PROGRAMS HAVE NEVER BEEN -
20 - I MEAN, I'M NOT SAYING YOUR CITY, I -- BECAUSE I HAVEN'T LOOKED AT
21 YOUR CITY. OKAY?

22 MS. BARLEIGH: RIGHT.

23 MEMBER JONES: SO I'M TALKING GENERICALLY. WHEN WE LOOK AT
24 THESE THINGS IT'S ALL THESE PLANS, AND YET PROGRAMS EITHER HAVEN'T BEEN
25 DONE, OR THEY HAVEN'T BEEN UTILIZED, OR THEY HAVE BEEN DONE IN A
26 WHISPERING-TYPE MODE WHERE YOU HIT, YOU KNOW, A COUPLE OF AREAS BUT NOT

AUDI-X REPORTING

1 OTHER AREAS FOR WHATEVER REASON.

2 AND I THINK WE JUST NEED TO GET A HANDLE ON -- TO
3 CHANGE THE NUMBER. OKAY? THERE'S A COUPLE OF JURISDICTIONS HERE THAT
4 I'VE ACTUALLY BEEN INVITED TO GO LOOK AT. THEY HAVE ASTRONOMICALLY HIGH
5 DIVERSION NUMBERS, BASED ON THIS CHANGE, AND THEY HAVE NO PROGRAMS.
6 THAT'S NOT GENERIC, THAT'S ACCURATE. THEY HAVE ZIPITY-DOO-DAH (PHON)
7 PROGRAMS. BUT, THEY ARE AT A LEVEL HIGH ENOUGH THAT THEY WOULD HAVE
8 COMPLIED WITH THE LAW UNDER AB 939.

9 PART OF OUR JOB IS NOT TO DETERMINE THAT BIENNIAL
10 REVIEW ACCURACY UNLESS WE ARE SURE THE NUMBERS ARE ACCURATE, OR AS
11 ACCURATE AS CAN BE. LIKE THE SENATOR SAID, IT'S NOT A SCIENCE THAT
12 WE'RE GOING TO KNOW EXACTLY HOW MUCH TONNAGE -- YOU KNOW, IT'S GOING TO
13 BE CLOSE. BUT IF YOUR PROGRAMS -- IF THERE AREN'T PROGRAMS TO SUPPORT
14 30, 40, 50% DIVERSION -- IT DIDN'T ALL COME FROM AN EDUCATION PROGRAM OF
15 FOURTH GRADERS. IT JUST DIDN'T. SO WE HAVE TO LOOK AT THAT, AND AT
16 WHICH TIME WE CAN DETERMINE IF, IN FACT, THAT JURISDICTION HAS COMPLIED
17 WITH THE LAW.

18 BUT TO BLANKET GIVE THIS ALLOCATION OF WASTE OUT AND
19 GET SOMEBODY UP TO 45% IN THE YEAR 1995, THEY'RE SCOTT-FREE UNTIL THE
20 YEAR 2000. THAT DOESN'T MAKE ANY SENSE TO ME, IRREGARDLESS OF WHAT THE
21 BOARD DID TO COME UP WITH A FORMULA, THAT'S NOT THE INTENT OF THE LAW.

22 CHAIRMAN EATON: I THINK ALSO THAT ONE OF THE WAYS THIS
23 MOTION HELPS IS TO BE ABLE TO GET SOME MORE FACTORS IN SO IF THERE IS
24 ANY DOUBT, OR THERE IS ANY INABILITY TO GO FURTHER IN TERMS OF THE
25 NUMBERS THAT YOU TALKED ABOUT IN ONE OF YOUR JURISDICTIONS, IT GIVES YOU
26 SOME ADDITIONAL AMMUNITION BY WHICH TO SAY, OKAY, WE MAY NOT BE ABLE TO

AUDI-X REPORTING

1 GO THERE BUT HERE'S SOME OF THE OTHER THINGS WE HAVE, SO THE BOARD IS
2 THEN IN A POSITION TO -- OKAY, WE CAN'T GET, YOU KNOW, BLOOD OUT OF A
3 STONE BECAUSE THEY MAY OR MAY NOT EXIST, BUT WE DO HAVE THESE OTHER
4 THINGS WHICH ARE PRESENT, AND IT JUST ADDS TO BUTTRESS YOUR SUPPORT FOR
5 YOUR POSITION. IT'S NOT MEANT TO BE -- TO DE-STABILIZE, BUT TO, RATHER,
6 STABILIZE THE INFORMATION BY WHICH WAS ALREADY PROVIDED.

7 MS. BARLEIGH: OKAY. SO WILL STAFF PROVIDE US WITH AN
8 INFORMATION REQUEST FOR WHATEVER ADDITIONAL INFORMATION IS REQUIRED?

9 CHAIRMAN EATON: WELL, I THINK IN THE MOTION IT WILL GO AS
10 THAT THE INFORMATION RECORD SUPPORTING OR JUSTIFYING THOSE CHANGES, AND
11 THEY WILL ASK FOR ANY ADDITIONAL INFORMATION OR INFORMATION THAT THEY
12 FEEL IS GOING TO BE NECESSARY TO HELP THEM COMPORT WITH THE BIENNIAL
13 REVIEW PROCESS AS WELL.

14 MS. BARLEIGH: OKAY. THANK YOU.

15 CHAIRMAN EATON: WE AIN'T GOING TO LEAVE YOU HANGING OUT
16 THERE. I MEAN, I KNOW THAT THOSE AREN'T GOING TO BE HALLOWED WORDS BUT
17 I THINK -- YOU KNOW, I THINK THAT THERE WILL BE SOME THINGS THAT WE WILL
18 WORK THROUGH AND -- TO GET YOU WHAT YOU NEED.

19 MS. BARLEIGH: OKAY. THANK YOU.

20 CHAIRMAN EATON: MR. CUPPS, JOHN CUPPS.

21 MR. CUPPS: MR. CHAIRMAN, FOR THE RECORD MY NAME IS JOHN
22 CUPPS, I'M AN INDEPENDENT CONSULTANT. I'M NOT HERE REPRESENTING ANY
23 PARTICULAR CLIENT TODAY, I JUST HAVE A QUESTION THAT I'D LIKE TO TRY TO
24 GET CLARIFIED.

25 IS IT THE BOARD OR THE CHAIRMAN'S INTENT -- OR,
26 PERHAPS I SHOULD ASK THE MAKER OF THE MOTION, IS IT YOUR INTENT, MR.

AUDI-X REPORTING

1 JONES, THAT THIS IN EFFECT BECOMES A GENERIC POLICY THAT WILL BE APPLIED
2 HENCEFORTH TO OTHER JURISDICTIONS?

3 MEMBER JONES: ABSOLUTELY.

4 CHAIRMAN EATON: WE'RE IN A SITUATION, MR. CUPPS, WHERE THE
5 INDIVIDUALS WHO ARE GOING TO BE COMING BEFORE THIS BOARD RIGHT NOW,
6 NUMBERS IN SOME CASES, AND THE ONES THAT ARE WAITING IN THE WINGS, ARE
7 SO -- CAN'T BE DISCERNED WITH ANY KIND OF CERTAINTY AT ALL. THAT IS NOT
8 THE BOARD'S DETERMINATION, THAT IS EVEN THE JURISDICTION'S
9 DETERMINATION. SO WE ARE GOING TO BE IN THE SITUATION OF WHAT DO WE DO
10 WITH THOSE JURISDICTIONS HENCEFORTH.

11 I THINK THIS POLICY WILL BENEFIT THOSE JURISDICTIONS
12 WHO DON'T HAVE THE ABILITY, OR CANNOT -- NUMBERS ARE SO CONFUSED, TO
13 PROVIDE THEM WITH AN AVENUE BY WHICH THEY CAN BE SUCCESSFUL IN MEETING
14 THE REQUIREMENTS OF THE LAW.

15 MR. CUPPS: WELL, I UNDERSTAND ALL THAT. I JUST REALLY AM
16 TRYING TO UNDERSTAND WHETHER OR NOT THIS IS IN FACT A GENERIC POLICY
17 THAT IS BEING -- IS GOING TO BE APPLIED PROSPECTIVELY TO ALL
18 JURISDICTIONS COMING FORWARD. THAT'S, YOU KNOW --

19 CHAIRMAN EATON: ARE YOU ASKING ME IS THIS GOING TO APPLY TO
20 THE ONES WHO CAME HERE TODAY, OR WILL IT BE FOR THE ONES IN THE FUTURE
21 AS WELL?

22 MR. CUPPS: CORRECT.

23 CHAIRMAN EATON: IT WILL BE FOR THE ONES WHO COME IN BECAUSE
24 THEY'RE EVEN IN WORSE SHAPE THAN THE ONES THAT WERE HERE.

25 MR. CUPPS: OKAY, THANK YOU VERY MUCH.

26 MEMBER JONES: WHY CHANGE A GOOD MOTION, MR. CUPPS? YOU

AUDI-X REPORTING

1 KNOW? WHY CHANGE A GOOD MOTION.

2 CHAIRMAN EATON: I DIDN'T MISS -- YOURS WAS PURELY AN
3 INQUIRY, NOT A SUPPORT OR AN OPPOSITION POSITION I THINK, RIGHT?

4 MR. CUPPS: ABSOLUTELY.

5 CHAIRMAN EATON: OKAY. KATIE WILSON FROM THE CITY OF
6 CERRITOS.

7 MR. CAMBRIDGE: SHE HAD TO LEAVE --

8 CHAIRMAN EATON: OKAY. TINA LACKEY, CITY OF MONTEREY PARK.

9 MS. LACKEY: GOOD AFTERNOON. I WAS JUST CURIOUS FOR OUR
10 BIENNIAL REVIEW WHAT JURISDICTIONS ARE GOING TO BE REQUIRED TO PROVIDE -
11 - I WAS JUST WONDERING, IS OUR ANNUAL REPORTS FOR 1995 AND 1996 THAT WE
12 SUBMITTED, IS THAT GOING TO BE ENOUGH DOCUMENTATION, OR ARE YOU GOING TO
13 BE REQUIRING ADDITIONAL ITEMS FROM JURISDICTIONS?

14 AND THEN IF YOU DO, HOW ARE YOU GOING TO NOTIFY
15 JURISDICTIONS, AND WHEN -- HOW FAR IN ADVANCE ARE THEY GOING TO BE
16 NOTIFIED BEFORE THEIR ITEMS IS GOING TO BE BROUGHT BEFORE THE BOARD?

17 CHAIRMAN EATON: SEVERAL QUESTIONS THERE. PERHAPS STAFF CAN
18 GO OVER THE BIENNIAL REVIEW PROCESS, AND THEN FROM THERE WE CAN START TO
19 SEGREGATE EACH AND EVERY ONE OF YOUR QUESTIONS.

20 MEMBER JONES: MR. CHAIRMAN?

21 CHAIRMAN EATON: UM-HUM?

22 MEMBER JONES: BEFORE MR. SCHIAVO STARTS. SOME OF OUR
23 MOTION, SOME OF MY MOTION, GIVES STAFF DIRECTION THAT WE HAVEN'T REALLY
24 SET OUT TO THEM YET, WE HAVEN'T TOLD THEM EXACTLY WHAT IS GOING TO BE
25 REQUIRED. I THINK THAT THAT IS GOING TO HAVE A LOT TO DO WITH THE
26 CHAIRMAN, THE EXECUTIVE DIRECTOR, AND INPUT FROM BOARD MEMBERS.

AUDI-X REPORTING

1 SO IN FAIRNESS TO STAFF -- I'M NOT TRYING -- YOU KNOW,
2 YOU WERE HERE ALL DAY, YOU SAW WHAT WE WERE STRUGGLING WITH. YOU SAY
3 THAT -- A GOOD LIKELIHOOD THAT THIS -- THAT THERE WERE GOING TO BE SOME
4 VOTES, AND YOU NEED FOUR HERE, IT'S NOT A MAJORITY, YOU'VE GOT TO HAVE
5 FOUR.

6 MS. LACKEY: I SEE.

7 MEMBER JONES: SO WE'RE TRYING TO WORK THROUGH THIS THING SO
8 THAT EVERYBODY CAN -- THERE HAS GOT TO BE -- WE'RE GOING TO LOOK AT WHAT
9 IT IS, WHAT THE INFORMATION IS THAT COMES IN -- OKAY? -- AND WHAT WE'RE
10 GOING TO NEED TO BE ABLE TO MAKE A DETERMINATION OF ACCURATE DATA.

11 SOME OF IT IS -- SOME OF THESE ITEMS, UNFORTUNATELY
12 FOR STAFF, WHEN IT COMES AROUND TO BOARD MEMBERS WE HAVE A GUT FEELING
13 AND WE'LL GO OUT AND CALL PEOPLE, OR WE'LL GO OUT OURSELVES AND LOOK TO
14 SEE IF PROGRAMS ARE REALLY IN PLACE. THEY'LL GO OUT AND LOOK AND SEE IF
15 PROGRAMS ARE IN PLACE.

16 I DON'T KNOW YET HOW ALL THAT'S GOING TO WORK OUT.
17 BUT IT'S GOING TO BE MORE THAN A CURSORY REVIEW. OKAY? IT HAS TO BE.
18 BECAUSE YOU'VE SPENT MONEY IN YOUR JURISDICTION YOU DON'T WANT YOUR
19 EFFORTS NOT TO BE RECOGNIZED, WHEN SOMEBODY THAT HASN'T PUT IN THE
20 EFFORT IS RECOGNIZED, DO YOU?

21 MS. LACKEY: EXACTLY.

22 MEMBER JONES: OKAY.

23 MS. LACKEY: I'D ALSO LIKE TO RECOMMEND TO JUST INCREASE
24 COMMUNICATION, BECAUSE A LOT OF TIMES THERE'S A LOT OF LAST-MINUTE, OOP,
25 YOUR ITEM'S UP ON THE -- I WOULD REALLY STRONGLY ENCOURAGE MAYBE IN
26 WRITING NOTIFICATION TO THE JURISDICTIONS PRIOR TO THEIR ITEM BEING

AUDI-X REPORTING

1 HEARD BEFORE THE BOARD SO A JURISDICTION CAN PREPARE ITSELF, PREPARE
2 DOCUMENTATION OF THEIR PROGRAMS, TO COME AND TALK TO THE BOARD AND SHARE
3 WITH THEM THE PROGRAMS THAT THEY'VE BEEN IMPLEMENTING.

4 MEMBER JONES: JUST SO YOU KNOW, I THINK THAT 95, 99% OF THE
5 -- 95%, MAYBE 85, OF ALL THE JURISDICTIONS IN THE STATE REALLY DEAL WITH
6 US SO SQUARE IT'S NOT -- I MEAN, JUST REALLY DEAL WITH US UP-FRONT.
7 OTHERS I THINK JUST DON'T GET IT. AND OTHERS I THINK DON'T WANT TO
8 SPEND THE MONEY TO PUT THE PROGRAMS IN.

9 I'M NOT LUMPING -- WE'RE NOT LUMPING EVERYBODY
10 TOGETHER, BUT IT -- THERE ARE INDICATORS THAT YOU USE. YOU KNOW? AND
11 BASED ON THE AMOUNT OF INFORMATION WHICH WE HAD, WHICH WAS NOT PROBABLY
12 THE -- YOU KNOW, THEY'VE GOT TO TAKE IT IN A FORMAT THAT THEY THINK
13 MAKES SENSE FOR US. AND, YOU KNOW, I DO SOME QUICK MATH AND HAVE A
14 LITTLE EXPERIENCE IN THIS STUFF AND I HAVE PROBLEMS WITH PARTS OF IT.

15 SO, WE'RE NOT QUESTIONING THE INTEGRITY OF THE
16 NUMBERS, WE WANT TO PRESERVE THE INTEGRITY OF THE LAW.

17 MS. LACKEY: OKAY.

18 MEMBER JONES: OKAY?

19 CHAIRMAN EATON: ON THE OTHER HAND, JUST TO ASSURE YOU, THE
20 GENTLEMEN TO MY RIGHT, TO YOUR LEFT, TO MY LEFT AND TO THE FURTHER LEFT
21 AS WELL, INCLUDING MYSELF, ALL HAVE BACKGROUND AND TRAINING AND NOTICE
22 (PHON), NOT JUST BAGLEY-KEENE (PHON). BUT IF YOU'D BEEN AT ANY OF THE
23 PREVIOUS BOARD MEETINGS, WHICH PROBABLY DIDN'T HAPPEN (PHON) (HAVE IT?)
24 YOU'D SEE THAT EACH OF THIS GENTLEMEN -- WE'RE VERY BIG STICKLERS ON
25 NOTICE, AND THAT PEOPLE WHO DIDN'T HAVE PROPER NOTICE WERE GIVEN A LOT
26 MORE LEEWAY ON THAT. SO I DON'T SEE YOU'RE GOING TO HAVE ANY PROBLEM

AUDI-X REPORTING

1 WITH THIS.

2 I DO, HOWEVER -- DO NOT SUBSCRIBE TO THE FACT THAT A
3 BASE-YEAR ADJUSTMENT PROBLEM HAS JUST ALL OF A SUDDEN DESCENDED UPON ON
4 MAY 6TH.

5 MS. LACKEY: I UNDERSTAND.

6 CHAIRMAN EATON: I DO NOT SUBSCRIBE TO THAT THEORY. AND,
7 THEREFORE, I DO BELIEVE THAT THERE IS AN INTEREST -- AND I UNDERSTAND, I
8 MEAN, YOU KNOW, NONE OF US DO ANYTHING UNLESS WE HAVE TO IN CERTAIN
9 SITUATIONS. AND IN SOME CASES WE'RE REALLY TRYING TO GET THIS INTO A
10 POSITION SO THAT WHEN WE HIT THE YEAR 2000 AND THE SPOTLIGHT COMES DOWN
11 ON 2001, WE'RE ALL PRETTY MUCH ON THE SAME PAGE. AND WE'RE JUST NOT ON
12 THE SAME PAGE. NOT BOARD MEMBERS, BUT WE'RE JUST NOT ON THE SAME PAGE
13 WITH THE JURISDICTIONS, QUITE FRANKLY.

14 YOU KNOW, ALL OF YOU SPEAK PUBLICLY, BUT ALL OF YOU
15 ALSO SPEAK PRIVATELY TO US, AND SO WE KNOW A LITTLE BIT MORE THAN PEOPLE
16 GIVE US CREDIT FOR, AND WE KNOW A LITTLE BIT LESS THAN PEOPLE MAY NOT
17 GIVE US ANY CREDIT FOR. SO, FROM THAT PERSPECTIVE, WE'RE JUST TRYING TO
18 MOVE IT ALONG AND GO THROUGH.

19 THE MAIN THING HERE IS TO BE ABLE TO HAVE SOMETHING BY
20 WHICH WE CAN ALL BE PROUD OF, AND I THINK WE ARE GETTING THERE IN THOSE
21 SITUATIONS. YOU KNOW, THE BOARD DOESN'T NEED YOUR MONEY FOR FINDS OR
22 ANY OF THOSE KINDS OF THINGS. WHAT WE DO NEED, HOWEVER, IS THE ABILITY
23 TO KIND OF PUT SOME OF THE STUFF TOGETHER.

24 I THINK IF YOU LOOK AT THE WAY THE BOARD HAS ACTED
25 OVER THE LAST COUPLE OF YEARS AS SOME OF THIS STUFF HAS FINALLY STARTED
26 TO COME TO THE TOP, THERE'S PROBLEMS. I MEAN, IT'S JUST LIKE ANYTHING

AUDI-X REPORTING

1 ELSE. YOU KNOW, IN SOME WAYS WE ARE ANTICIPATING MORE OF A PROBLEM,
2 MAYBE IT REALLY DOES EXIST, BUT WE WANT TO BE PREPARED IN THAT SENSE.

3 I THINK IF YOU LOOK AT EACH ONE OF OUR COMMODITIES
4 THAT WE DEAL WITH, TIRES RECENTLY IS A GOOD EXAMPLE WHERE WE'RE GOING TO
5 TRY AND TAKE A DIFFERENT APPROACH AND GET A LITTLE MORE AGGRESSIVE, GET
6 PEOPLE NOW RATHER THAN WAITING LATER.

7 I MEAN, THE ONE THING THAT WE HAVE PICKED UP AND IT'S
8 THROUGHOUT, IS THAT THE ECONOMIC TREND OF THE LAST FEW YEARS HAS BEEN
9 LOW, AND IT'S STARTING TO PICK UP. AND SO THAT THE BASIC ASSUMPTION IS,
10 IS BECAUSE THE ECONOMIC ACTIVITY'S BEEN LOW, THEN WHEN IT PICKS UP WHAT
11 WE'VE SEEN IS THESE SPIKES. WE DON'T WANT YOU TO BE IN A POSITION TO
12 COME BACK TO US AND SAY, YOU KNOW, WE REALLY DIDN'T EVEN KNOW IT WAS
13 GOING TO GO THAT WAY AND YOU HAD THESE NUMBERS.

14 I THINK IT'S A WAY THAT WE CAN SAY WE'VE ANTICIPATED
15 THESE KINDS OF THINGS, AND WE CAN PRESENT IT TO THE PUBLIC THAT THEIR
16 TAX DOLLARS THAT THEY'RE PAYING FOR, AND SOME OF THE PROGRAMS THAT
17 THEY'RE PAYING FOR ARE GOING AND THEY'RE JUST NOT A NUMBERS GAME.
18 BECAUSE, AT LEAST FROM THIS BOARD MEMBER'S PERSPECTIVE, I DON'T WANT IT
19 TO BE A NUMBERS GAME, I WANT IT TO BE SOMETHING THAT WE CAN DO AND
20 UTILIZE -- WHATEVER WE GENERATE WE USE TO THE GREATEST EXTENT POSSIBLE.
21 IT'LL NEVER BE 100%, BUT WE'RE GOING TO KEEP MOVING IN THAT DIRECTION.

22 AND ALSO, WHAT ABOUT THOSE JURISDICTIONS THAT HAVE
23 DONE THE WORK? YOU KNOW, IF WE ALL OF A SUDDEN DO SOMETHING TO THE
24 NUMBERS THEN THEY HAVE A DIS-INCENTIVE AS WELL. YOU KNOW? AND WE'VE
25 ALSO TRIED TO DO IT....

26 BUT WE HAVE A TREMENDOUS WEB PAGE AND WE HAVE

AUDI-X REPORTING

1 TREMENDOUS NOTICING REQUIREMENTS THAT WE CAN -- CAN DO. AND YOU SHOULD
2 FEEL FREE -- I MEAN, THE CITIES YOU REPRESENT -- I'M NOT SURE, BUT -- I
3 MAY BE MISTAKEN, BUT I THINK WEREN'T -- DIDN'T YOU ATTEND OUR WORKSHOP
4 DOWN IN DIAMOND BAR, OR SOMEONE FROM YOUR CITY?

5 MS. LACKEY: YES, I DID.

6 CHAIRMAN EATON: YES. AND YOU WERE ONE OF THE FEW
7 INDIVIDUALS TO DO THAT, AND I'VE COMMENTED ON THAT ON SEVERAL TIMES.
8 SEE, I DO HAVE A MEMORY ONCE IN A WHILE. AND WE WERE IN THAT BIG BOARD
9 ROOM -- AND MR. PENNINGTON CAN REMEMBER, AND YOU LOOKED OVER AT ME AND
10 THERE WAS A BIG ROOM, WE THOUGHT WE WERE ECHOING AND WE WERE IN A CANYON
11 OR WHATEVER, AND WE DID GO OUT AND DO THAT. UNLIKE SOME OF YOUR FELLOW
12 JURISDICTIONS, THEY WERE NOT PRESENT. AND THAT WAS A 1066 PROGRAM THAT
13 WE SPOKE ABOUT.

14 AND, SO I THINK THOSE ARE THE KINDS OF THINGS THAT
15 WE'RE TRYING TO GET OUT TO DO. WE'RE GOING TO TRY AND DO MORE OF IT AS
16 WELL. OKAY?

17 MS. LACKEY: THANK YOU.

18 CHAIRMAN EATON: I DON'T HAVE ANY MORE SLIPS. SO THAT MUST
19 MEAN THAT WE -- THE TIME HAS COME TO TAKE UP THE MOTION. WE DO,
20 HOWEVER, HAVE I THINK SOME FINAL LANGUAGE THAT SENATOR ROBERTI HAD
21 SPOKEN ABOUT, AND I THINK HAS BEEN FINALLY DRAFTED. AND IF YOU WANT,
22 PERHAPS MAKE THE -- WE CAN HAVE THE MOTION MADE.

23 MR. CUPPS.

24 MR. CUPPS: MR. CHAIRMAN, COULD YOU PERHAPS GO THROUGH THE
25 LANGUAGE CHANGES YOU MADE

26 CHAIRMAN EATON: SURE, THAT'S WHAT I'M JUST ABOUT READY TO

AUDI-X REPORTING

1 DO --

2 MR. CUPPS: THANK YOU VERY MUCH.

3 CHAIRMAN EATON: I PROMISE I WON'T SLIP IN THE CUPPS
4 EXCEPTION OR THE CUPPS PUNISHMENT, YOU KNOW.

5 OKAY. SO, MR. BLOCK, WOULD YOU JUST PROVIDE THE
6 CHANGE, WHICH WILL BE IN THE SECOND-TO-LAST PARAGRAPH THAT BEGINS "AT
7 THE TIME OF THESE BIENNIAL REVIEWS," AND IT WILL GO IN THE SECOND
8 SENTENCE, AND IT WILL READ AS FOLLOWS.

9 MR. BLOCK: SECOND-TO-THE-LAST BULLET, THE SECOND SENTENCE
10 WOULD BE CHANGED TO READ: "IF BASED ON THE INFORMATION PROVIDED THE
11 BOARD BELIEVES THAT THE JURISDICTION'S DIVERSION RATE AND THE BASE-YEAR
12 UPON WHICH THE RATE IS PREDICATED ARE NOT ACCURATE THE BOARD MAY DIRECT
13 THAT A COMPLIANCE HEARING BE SCHEDULED TO PLACE THE JURISDICTION ON A
14 COMPLIANCE ORDER."

15 CHAIRMAN EATON: WOULD YOU LIKE THAT REPEATED ONE MORE TIME,
16 PERHAPS, SO EVERYONE CAN KIND OF GET IT DOWN?

17 MR. BLOCK: LET ME JUST READ THE WHOLE SENTENCE AGAIN: "IF
18 BASED ON THE INFORMATION PROVIDED THE BOARD BELIEVES THAT THE
19 JURISDICTION'S DIVERSION RATE AND THE BASE-YEAR UPON WHICH THE RATE IS
20 PREDICATED ARE NOT ACCURATE THE BOARD MAY DIRECT THAT A COMPLIANCE
21 HEARING BE SCHEDULED TO PLACE THE JURISDICTION ON A COMPLIANCE ORDER."

22 CHAIRMAN EATON: AND IF IT WILL HELP YOU, MR. CUPPS, AND
23 OTHER INDIVIDUALS INCLUDING THE BOARD, WHAT WE WILL DO IS -- AND WE HAVE
24 A COUPLE MORE ITEMS -- IF I CAN ASK THE STAFF TO GO UP AND INSERT THAT
25 INTO THE MOTION, AND THEN WE'LL HAVE THOSE AVAILABLE SO IF YOU DIDN'T
26 GET IT WRITTEN DOWN ACCURATELY YOU'LL AT LEAST HAVE THE COPY. IS THAT

AUDI-X REPORTING

1 OKAY? ABSOLUTELY.

2 SO, I BELIEVE THAT WE HAVE A MOTION BEFORE US THAT WAS
3 PROPOSED BY MR. JONES, AND I BELIEVE SECONDED BY MR. PENNINGTON. WE
4 HAVE THE CHANGES THAT WERE READ BY MR. BLOCK.

5 AND IF THERE'S NO FURTHER QUESTIONS OR COMMENTS, MADAM
6 SECRETARY, WILL YOU PLEASE CALL THE ROLL?

7 THE SECRETARY: BOARD MEMBERS JONES?

8 MEMBER JONES: AYE.

9 THE SECRETARY: PENNINGTON?

10 MEMBER PENNINGTON: AYE.

11 THE SECRETARY: ROBERTI?

12 MEMBER ROBERTI: AYE.

13 THE SECRETARY: CHAIRMAN EATON?

14 CHAIRMAN EATON: AYE.

15 THE MOTION IS APPROVED.

16 AGENDA ITEM 5: CONSIDERATION OF STAFF RECOMMENDATION TO CORRECT
17 THE PROJECTED DIVERSION RATE FOR, AND ON THE ADEQUACY OF, THE PREVIOUSLY
18 CONDITIONALLY APPROVED SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE
19 CITY OF PARAMOUNT, LOS ANGELES COUNTY

20 CHAIRMAN EATON: ALL RIGHT, ITEM NO. 5, CONSIDERATION OF
21 STAFF RECOMMENDATION TO CORRECT THE PROJECTED DIVERSION RATE FOR, AND ON
22 THE ADEQUACY OF, THE PREVIOUSLY CONDITIONALLY APPROVED SOURCE REDUCTION
23 AND RECYCLING ELEMENT FOR THE CITY OF PARAMOUNT.

24 MR. SCHMIDLE: GOOD AFTERNOON CHAIRMAN EATON AND BOARD
25 MEMBERS. I'M CHRIS SCHMIDLE WITH THE BOARD'S OFFICE OF LOCAL
26 ASSISTANCE, SOUTH SECTION. TODAY I'M PRESENTING ITEM NO. 5, WHICH

AUDI-X REPORTING

1 REQUESTS A CHANGE IN THE APPROVAL STATUS FOR THE FINAL SOURCE REDUCTION
2 AND RECYCLING ELEMENT FOR THE CITY OF PARAMOUNT FROM CONDITIONAL
3 APPROVAL TO FULL APPROVAL.

4 ON SEPTEMBER 21ST, 1994, THE BOARD VOTED TO
5 CONDITIONALLY APPROVE THE FINAL SOURCE REDUCTION AND RECYCLING ELEMENT
6 FOR THE CITY OF PARAMOUNT. THE BOARD'S ACTION WAS BASED ON THE FAILURE
7 OF THE CITY'S DIVERSION TONNAGE PROJECTIONS TO MEET 50% DIVERSION IN THE
8 YEAR 2000.

9 THE FAILURE OF THE CALCULATIONS WAS DUE TO BOARD
10 STAFF'S REMOVAL OF TONNAGE USED FOR ALTERNATIVE DAILY COVER. AT THE
11 TIME REGULATIONS DID NOT ALLOW MATERIALS USED AS ALTERNATIVE DAILY COVER
12 TO BE COUNTED AS DIVERSION. THE OFFICE OF ADMINISTRATIVE LAW
13 SUBSEQUENTLY APPROVED A REGULATION IN 1995 WHICH ALLOWS ALTERNATIVE
14 DAILY COVER TO BE COUNTED AS DIVERSION.

15 WITH THE RE-INCLUSION OF THE CITY'S ORIGINAL CLAIM FOR
16 PROJECTED ALTERNATIVE DAILY COVER THE CORRECTED DIVERSION RATE FOR 2000
17 IS INCREASED TO 48.5%, AN AMOUNT THAT MEETS THE BOARD'S STANDARD FOR
18 SUBSTANTIAL COMPLIANCE.

19 SINCE THIS WAS THE ONLY OUTSTANDING ISSUE IDENTIFIED
20 UNDER THE BOARD'S PREVIOUS CONDITIONAL APPROVE OF THE SOURCE REDUCTION
21 AND RECYCLING ELEMENT, STAFF RECOMMENDS THAT THE BOARD NOW APPROVE THE
22 ELEMENT AS SUBMITTED.

23 I BELIEVE A REPRESENTATIVE OF THE CITY IS HERE TODAY
24 TO ANSWER ANY QUESTIONS YOU MAY HAVE ABOUT THEIR DIVERSION RATE OR
25 PROGRAMS.

26 THAT CONCLUDES MY PRESENTATION. DO YOU HAVE ANY

AUDI-X REPORTING

1 QUESTIONS FOR STAFF?

2 CHAIRMAN EATON: ANY QUESTIONS OF STAFF OR FOR THE CITY?

3 MEMBER JONES: MR. CHAIRMAN?

4 CHAIRMAN EATON: MR. JONES.

5 MEMBER JONES: I'D LIKE TO MOVE ADOPTION OF RESOLUTION 1999-
6 147.

7 CHAIRMAN EATON: SECOND?

8 MEMBER PENNINGTON: I'LL SECOND IT.

9 CHAIRMAN EATON: MR. JONES MOVES, MR. PENNINGTON SECONDS,
10 THAT WE ADOPT RESOLUTION 1999-147.

11 WITHOUT OBJECTION WE'LL SUBSTITUTE THE PREVIOUS ROLL
12 CALL. HEARING NO OBJECTION, SO SHALL BE ORDERED.

13 AGENDA ITEM 8: CONSIDERATION OF STAFF RECOMMENDATION TO CHANGE
14 THE BASE-YEAR TO 1995 FOR THE PREVIOUSLY APPROVED SOURCE REDUCTION AND
15 RECYCLING ELEMENT FOR THE CITY OF WESTLAKE VILLAGE, LOS ANGELES COUNTY

16 THE FINAL ITEM OF THE DAY I BELIEVE IS ITEM NO. 8 --

17 MEMBER JONES: WE HAVE TWO OF THEM, CITY OF L.A. TOO.

18 CHAIRMAN EATON: I'M SORRY, ITEM NO. 8, CITY OF WESTLAKE
19 VILLAGE. YOU'RE CORRECT, MR. JONES. I'M DOING SO MANY OF THEM
20 TOGETHER, YOU KNOW.

21 MR. SCHMIDLE: MR. CHAIRMAN AND BOARD MEMBERS, ONCE AGAIN,
22 I'M CHRIS SCHMIDLE WITH THE BOARD'S OFFICE OF LOCAL ASSISTANCE, SOUTH
23 SECTION. AND TODAY I'M PRESENTING ITEM NO. 8, WHICH REQUESTS A CHANGE
24 IN THE BASE-YEAR FROM 1990 TO 1995 FOR THE CITY OF WESTLAKE VILLAGE.

25 ~~IN MARCH, 1997, THE BOARD APPROVED METHODS FOR~~
26 JURISDICTIONS TO USE FOR IMPROVING THE ACCURACY OF THEIR BASE-YEAR

AUDI-X REPORTING

1 GENERATION TONNAGE DATA. ONE OF THE APPROVED METHODS ALLOWS THE USE OF
2 DATA FROM A BASE-YEAR OTHER THAN 1990.

3 THE CITY ADOPTED A NONEXCLUSIVE FRANCHISE SYSTEM IN
4 1992, AND HAS TRACKED DISPOSAL AND DIVERTED TONNAGE BY HAULERS AND
5 RECYCLERS FOR THE PAST FOUR YEARS. THEREFORE, THE CITY BELIEVES THAT
6 THE PROPOSED 1995 BASE-YEAR GENERATION DATA IS MORE ACCURATE THAN THE
7 ORIGINAL 1990 TONNAGE AMOUNT CURRENTLY APPROVED.

8 TO ESTIMATE THE WASTE GENERATION IN 1995 THE CITY USED
9 DISPOSAL DATA FROM THE DISPOSAL REPORTING SYSTEM, AND COLLECTED
10 INFORMATION FROM HAULERS AND RECYCLERS TO DOCUMENT THE DIVERSION
11 TONNAGE. THE 1995 DATA IS CONSIDERED TO BE MORE ACCURATE THAN THE 1990
12 DATA AND IS THE BEST AVAILABLE INFORMATION, ALTHOUGH SOME DIVERSION DATA
13 WAS NOT AVAILABLE TO THE CITY.

14 BOARD STAFF HAS DETERMINED THAT THE REQUEST HAS BEEN
15 ADEQUATELY DOCUMENTED. THEREFORE, STAFF RECOMMENDS THAT THE REQUEST TO
16 CHANGE THE CITY'S BASE-YEAR TO 1995 BE APPROVED.

17 A REPRESENTATIVE OF THE CITY IS HERE TODAY TO ANSWER
18 ANY QUESTIONS YOU MAY HAVE.

19 AND THAT CONCLUDES MY PRESENTATION. DO YOU HAVE ANY
20 QUESTIONS FOR STAFF?

21 CHAIRMAN EATON: QUESTIONS OF STAFF, OR MR. POLACE (PHON)
22 FROM THE CITY OF WESTLAKE VILLAGE? NO?

23 MEMBER ROBERTI: MOVE RESOLUTION 1999-193 --

24 CHAIRMAN EATON: SENATOR ROBERTI MOVES --

25 MEMBER ROBERTI: BE ADOPTED.

26 CHAIRMAN EATON: AND MR. JONES SECONDS?

AUDI-X REPORTING

1 MEMBER JONES: YEAH. YOU BET YOU, YOU BET YOU.

2 CHAIRMAN EATON: THAT RESOLUTION 1999-193 BE ADOPTED.

3 WITHOUT OBJECTION I'LL SUBSTITUTE THE PREVIOUS ROLL
4 CALL. HEARING NO OBJECTION, SO SHALL BE THE ORDER.

5 THANK YOU, JANINE.

6 AGENDA ITEM 9: CONSIDERATION OF STAFF RECOMMENDATION TO CHANGE
7 THE BASE-YEAR FROM 1990 TO 1995 FOR THE PREVIOUSLY APPROVED SOURCE
8 REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF LOS ANGELES, LOS ANGELES
9 COUNTY

10 CHAIRMAN EATON: ITEM NO. 10, CITY OF LOS ANGELES -- 9,
11 GEES, MY GOD. ALL THESE NUMBERS, HUH?

12 MR. SCHIAVO: ITEM NUMBER NINE RELATES TO A NEW WASTE
13 GENERATION STUDY FOR THE CITY OF LOS ANGELES. THEY EMBARKED UPON THIS
14 METHODOLOGY BECAUSE OF THE VAST CHANGES THAT HAVE TAKEN PLACE IN THIS
15 CITY SINCE 1990, CHANGES IN POPULATION MAKE-UP, INDUSTRIAL COMPLEX, ETC.

16 THE CITY MADE A COMPREHENSIVE STUDY OF DISPOSAL AND
17 DIVERSION INFORMATION. THEY FOUND THAT, THROUGH GATE SURVEYS AND
18 ADDITIONAL SURVEYS WITHIN THE CITY, THAT THE DISPOSAL REPORTING SYSTEM
19 SEEMED TO MATCH UP WITH THEIR SURVEY DATA, SO THEY FELT COMFORTABLE WITH
20 THAT END OF THE GENERATION STUDY.

21 REGARDING THE DIVERSION DATA, THEY SURVEYED ALL THE
22 DIFFERENT PROGRAMS THAT WERE CITY-SPONSORED. IN ADDITION TO THAT, THEY
23 SURVEYED ALL OF THE PRIVATE RECYCLERS IN THE JURISDICTION, THEY FOLLOWED
24 UP WITH THE LARGEST RECYCLERS AND TRIED TO VERIFY THE INFORMATION FROM
25 THOSE.

26 IN ADDITION, THEY INCLUDED SOME C&D MATERIALS,

AUDI-X REPORTING

1 CONSTRUCTION AND DEMOLITION MATERIALS, WITHIN THE CITY, AS WELL AS THEY
2 WERE VERY COGNIZANT OF SOME DISPOSAL DATA THAT WAS RELATED TO THE
3 NORTHRIDGE EARTHQUAKE THE PRIOR YEAR, THEY SUBTRACTED THAT OUT OF THE
4 CALCULATION.

5 STAFF FEELS VERY COMFORTABLE WITH THE APPROACH THAT
6 THEY TOOK AND THEIR METHOD FOR TRYING TO GET THROUGH A VERY COMPLEX
7 WASTE STREAM. STAFF RECOMMENDS APPROVAL OF THE CITY OF LOS ANGELES'
8 1995 GENERATION STUDY.

9 THAT CONCLUDES MY PRESENTATION.

10 CHAIRMAN EATON: ANY QUESTIONS OF STAFF OR MR. VELLA (PHON),
11 WHO'S IN THE AUDIENCE?

12 MEMBER ROBERTI: MOVE FOR ADOPTION OF RESOLUTION --

13 CHAIRMAN EATON: SENATOR ROBERTI MOVES --

14 MEMBER ROBERTI: -- 1999-76.

15 MEMBER PENNINGTON: SECOND.

16 CHAIRMAN EATON: -- MR. PENNINGTON SECONDS, THAT WE ADOPT --

17 MEMBER JONES: LOOK AT HER, SHE'S SMILING, SHE'S WORKED ON
18 THIS THING FOR LIKE FIVE YEARS.

19 CHAIRMAN EATON: -- RESOLUTION 1999-76.

20 WITHOUT OBJECTION, WE'LL SUBSTITUTE THE PREVIOUS ROLL
21 CALL. HEARING NO OBJECTION, SO SHALL BE ORDERED.

22 THANK YOU VERY MUCH. AND YOU SHOULD BE VERY HAPPY I
23 THINK WITH THE REPORTS THAT WERE DONE BY THE CITY OF L.A.

24 AGENDA ITEM NO. 6: CONSIDERATION OF STAFF RECOMMENDATIONS TO CORRECT THE
25 BASE YEAR FOR, AND ON THE ADEQUACY OF, THE PREVIOUSLY CONDITIONALLY
26 APPROVED SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF SOUTH EL

AUDI-X REPORTING

1 MONTE, LOS ANGELES COUNTY.

2 MR. SCHMIDLE: MR. CHAIRMAN?

3 CHAIRMAN EATON: I'M SORRY, MR. SCHMIDLE.

4 MR. SCHMIDLE: IF YOU'RE DONE WITH THAT ITEM? JUST AS A
5 POINT OF ORDER, AGENDA ITEM NO. 6 FOR SOUTH EL MONTE CONSISTED OF TWO
6 ACTIONS, ONE OF WHICH WAS THE BASE-YEAR FIX, WHICH I BELIEVE YOU COVERED
7 UNDER YOUR --

8 CHAIRMAN EATON: PREVIOUS MOTION?

9 MR. SCHMIDLE: -- PREVIOUS MOTION.

10 THERE IS A SECOND PART, WHERE THE CITY ASKED TO HAVE
11 ITS CONDITIONALLY-APPROVED SOURCE REDUCTION AND RECYCLING ELEMENT
12 UPGRADED TO FULL APPROVAL.

13 CHAIRMAN EATON: THAT'S ITEM NO. 6?

14 MR. SCHMIDLE: ITEM NO. 6, SIR.

15 CHAIRMAN EATON: OKAY.

16 MEMBER JONES: AS A RESULT OF THIS NUMBER THEY'RE UP TO
17 50.6, RIGHT?

18 MR. SCHMIDLE: THAT WOULD BE FOR THE PROJECTION TABLE.

19 MEMBER JONES: MR. CHAIRMAN, I WOULD MOVE FOR THE ADOPTION
20 OF --

21 MEMBER PENNINGTON: SECOND.

22 CHAIRMAN EATON: MEMBER JONES MOVED, SECONDED BY MEMBER
23 PENNINGTON FOR THE ADOPTION OF ITEM NO. 6, WHICH WAS THE SECOND PART OF
24 THAT ITEM WHICH WAS NOT INCLUDED IN THE ORIGINAL MOTION DEALING WITH
25 ~~BASE YEAR ADJUSTMENTS.~~

26 WITHOUT OBJECTION, WE'LL SUBSTITUTE THE PREVIOUS ROLL

AUDI-X REPORTING

1 CALL. HEARING NO OBJECTIONS, SO SHALL --

2 MR. MOHAJER: THANK YOU MR. CHAIRMAN-- WITH THE AGENDA THAT
3 MR. JONES VERY NICELY MADE A REFERENCE TO, AND THAT WAS THE GRANT FOR
4 HOUSEHOLD HAZARDOUS WASTE PROGRAM, AND THE DIFFICULTY THAT AT LEAST L.A.
5 COUNTY HAD EXPERIENCED, AGAIN, FROM STANDPOINT THAT BECAUSE WE HAD THE
6 INFRASTRUCTURE FOR HOUSEHOLD HAZARDOUS WASTE PROGRAM IN PLACE CAUSED US
7 NOT TO QUALIFY FOR THE PROGRAM, BECAUSE WHAT OUR INTENTS WERE AT THAT
8 TIME, TO PROMOTE PARTICIPATION IN THE HOUSEHOLD HAZARDOUS WASTE
9 COLLECTION PROGRAM.

10 AND AS FOLLOW-UP AGAIN TO MR. JONES' DISCUSSION OF
11 LAST WEEK, ON THURSDAY -- YEAH, RIGHT, ON LAST THURSDAY, I WOULD
12 APPRECIATE THAT AS YOU CONSIDER CHANGING THE POLICY FOR DISTRIBUTION OF
13 THE GRANT MONEY FOR HOUSEHOLD HAZARDOUS WASTE PROGRAM, IF I WOULD BE ON
14 THE MAILING LIST AND COULD PARTICIPATE ON THAT. THANK YOU VERY MUCH.

15 MEMBER JONES: THANKS --

16 MR. MOHAJER: NO, NO, THAT'S A DIFFERENT ISSUE.

17 (THE PARTIES SIMULTANEOUSLY SPEAK.)

18 MEMBER JONES: MIKE, I'M ONLY KIDDING.

19 MR. MOHAJER: NO, BUT FOR -- ALSO I DO WANT YOU TO BELIEVE
20 THAT AT LEAST THE GOVERNMENT THAT I REPRESENT IN L.A. COUNTY, WE VERY
21 STRONGLY BELIEVE IN THE INTENT OF 939, AND WE FULLY SUPPORT AND WE WILL
22 DO OUR BEST AS FAR AS L.A. COUNTY UNINCORPORATED AREA IS CONCERNED TO
23 COMPLY WITH THAT. SO, BUT IT'S JUST THE TIMING THAT'S....

24 THANKS VERY MUCH.

25 ~~MEMBER PENNINGTON: IT SEEMS TO ME THAT EVERY TIME WE REFER~~
26 TO THE L.A. FIX WE'RE TALKING ABOUT A MOVIE.

AUDI-X REPORTING

1 CHAIRMAN EATON: YEAH, I THINK SO.

2 OKAY, GENTLEMEN. WELL, THAT BRINGS US TO THE END. I
3 THANK YOU FOR YOUR HARD WORK AND FOR YOUR WILLINGNESS TO PUT IN A LITTLE
4 BIT EXTRA. AND WE WILL STAND ADJOURNED, I BELIEVE, UNTIL MAY 27. THIS
5 MEETING STANDS ADJOURNED.
6